THE NEW REPUBLIC

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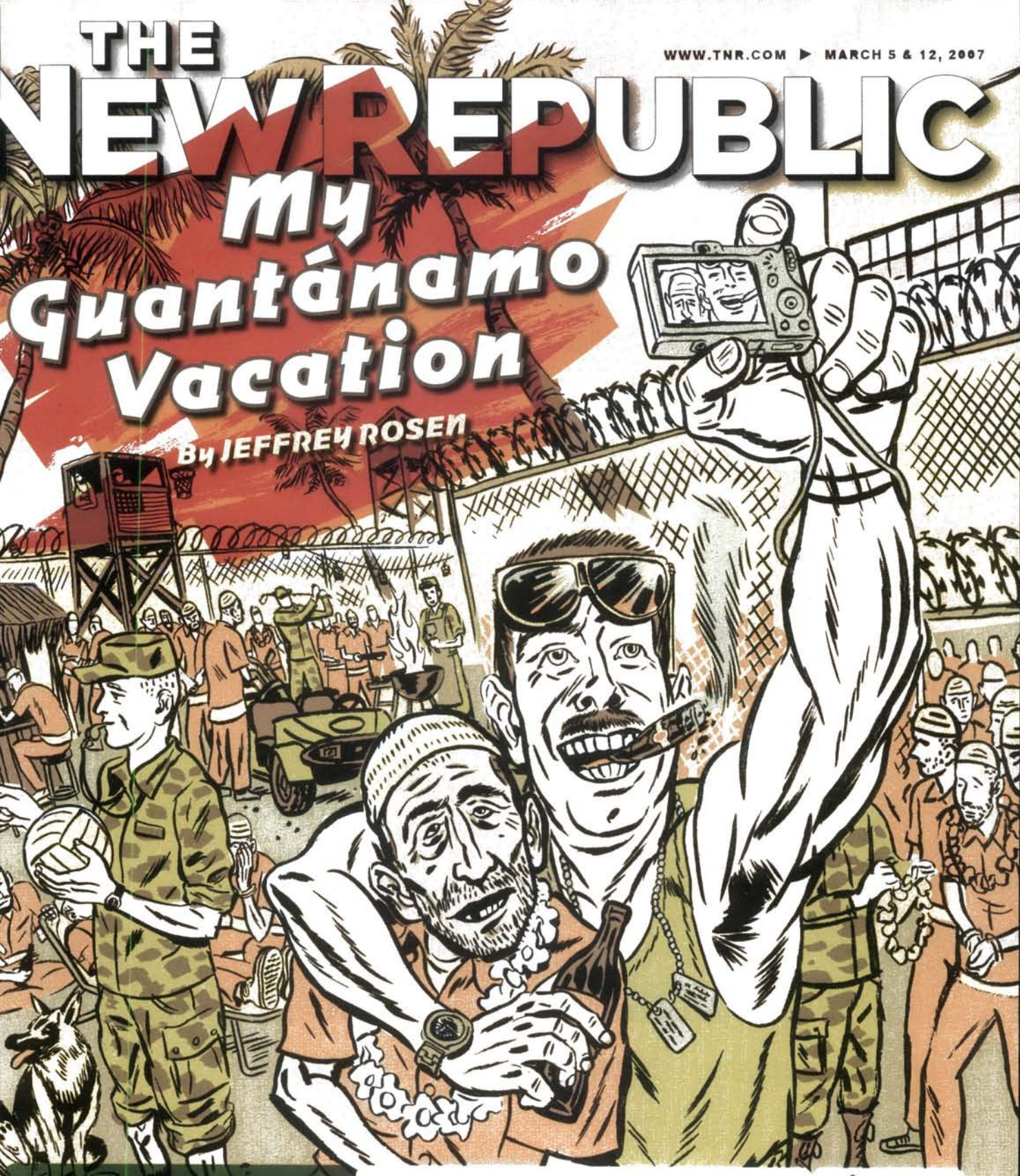
My Guantánamo Vacation

By JEFFREY ROSEN



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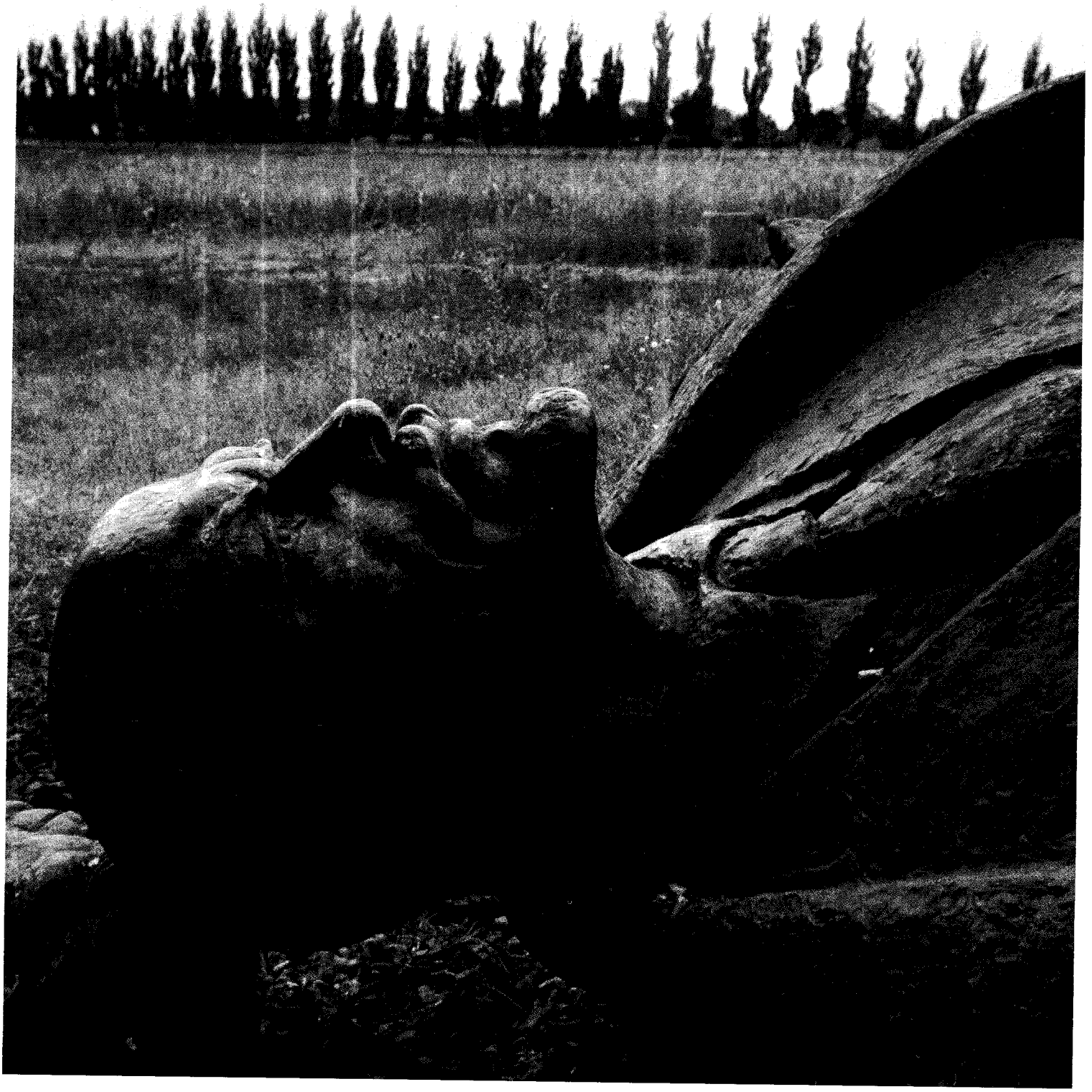

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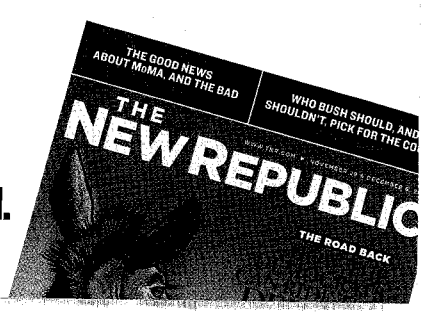

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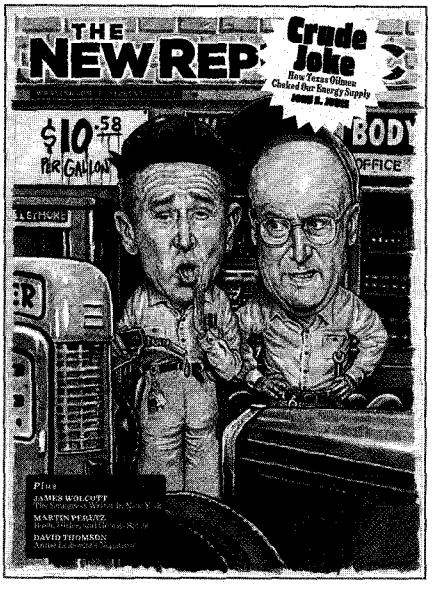
CORRESPONDENCE

WAR RECORD

MARTIN PERETZ FALSELY ACCUSED ME of having been a "young cog in the Hitlerite wheel" ("Tyran-a-Soros," February 12). I need to set the record straight. In 1944, when the Nazis occupied Hungary, my father arranged false identities for his family. He placed me with an official from the Hungarian Ministry of Agriculture who claimed that I was his godson. In return, my father arranged a false identity for the official's Jewish wife. In my capacity as 14-year-old godson, I accompanied the official on a trip to inventory the estate of a wealthy Jewish family that had fled the country. That is the episode "60 Minutes" quizzed me about in the interview that Peretz quotes. In the same interview, I also said: "I had no role in taking away that property." The facts are documented in Michael Kaufman's biography, *Soros: The Life and Times of a Messianic Billionaire*. I have also described the events at length in my own books, and my father, Tivadar Soros, gives an account of our adventures in 1944 in his book, *Masquerade*. With regard to my use of the term "de-Nazification," I am not too proud to admit this was a bad choice of words. I certainly do not put the United States and Nazi Germany in the same moral category. What I meant was that the United States needs to engage in profound soul-searching about the harm the war in Iraq has done to others and ourselves. Postwar Germany underwent such a process, to its lasting benefit. Perhaps "truth and reconciliation" would have been a more felicitous expression, although it is also inaccurate because we need to be reconciled with ourselves, not the terrorists. For the record, I am not equating the United States to South Africa, either.

GEORGE SOROS
New York, New York

MARTIN PERETZ RESPONDS:
George Soros lived through the depredations of Nazi Germany. I only learned of them from books and the oral testimonies of others. But nearly every scholar of this darkest era describes the difficulty of excavating the precise narrative of events from the trauma and chaos that defined them. Soros points to his own father's memoirs, for instance, which paint a more complicated picture than the son's response. But this is quibbling. What provoked my article was not Soros's biography; it was his casual suggestion that the United States has "to go through a certain de-Nazification process." I am glad that my article spurred him to abjure his words—and I doubt that he would have retracted them in its absence. If he hasn't noticed, the United States is now in the midst of an anguished debate about Iraq. No one in that debate seems intimidated or has been arrested. About half the country seems to be completely against the war; even more when you take into account those who have some mixed feelings. Opposing the Bush administration in this free country hardly qualifies as an act of dissidence. Even after this clarification, I find his logic utterly baffling and his assumptions no less pernicious.



ANCIENT HISTORY

SARAH WILDMAN OBVIOUSLY DOUBTS the Vlaams Belang's sincerity in welcoming Jews, but on the flimsiest of grounds ("Dewinter's Tale," January 22). She attempts to cast doubt on Vlaams Belang's current motives by exposing its past anti-Semitism. If this is a valid approach to discrediting Vlaams Belang, couldn't the same approach be used to attack the U.S. Democratic Party? What did the Democrats think of racial integration, immigration, and anti-Semitism during World War II? Would it be reasonable for African Americans to worry about Democrats making slavery legal again because the Democratic Party enthusiastically supported slavery in the past? Wouldn't the Republican Party be the logical party of choice for African Americans because of its active support for the abolition of slavery and for racial integration in the past? Maybe Vlaams Belang is as anti-Semitic as Wildman believes, but she has not made her case.

MATTHEW DUNNYVEG
Richland Springs, Texas

SARAH WILDMAN RESPONDS:
Matthew Dunnyveg misunderstands my argument. I didn't argue that Jews should be wary of Vlaams Belang because of explicit or implicit anti-Semitism on the part of Filip Dewinter or the other party leaders. Indeed, Dewinter himself has never publicly uttered an anti-Semitic slur; he has even been criticized by other right-wing groups for his recent vocal support of Israel and his outreach to Antwerp's Jews. Instead, I argued that the Vlaams Belang's expressed—and purposeful—philo-Semitism was politically calculated and possibly false. Jews in Belgium are wary of Vlaams Belang because the party is unapologetically Islamophobic and, arguably, racist. They fear the right-wing party has traded in one fear (Jews) for another (Muslims). And that trade-off makes moderate and liberal Jews extremely uncomfortable. Dewinter has been vocal in his anti-immigrant and anti-Muslim positions for years, he rejects completely the idea of an

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— HARRY TRUMAN

TELLING IT LIKE IT IS SINCE 1995

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A Different Country

TRB
FROM WASHINGTON

"WHY, EXACTLY, DID you support this war?" asked my wife the other day. A fitting question for my last TRB, since people have been asking it of me and this magazine since we made that disastrous decision more than four years ago. For myself, perhaps the most honest reply is this: because Kanan Makiya did.

When I first saw Makiya—the Iraqi exile who has devoted his life to chronicling Saddam Hussein's crimes—I recognized the type: gentle, disheveled, distracted, obsessed. He reminded me of the South African exiles who occasionally wandered through my house as a kid. Once, many years ago, I asked one of them how the United States could aid the anti-apartheid struggle. Congress could impose sanctions, he responded. Sure, sure, I said impatiently. But what else? Well, he replied with a chuckle, if the United States were a different country, it would help the African National Congress liberate South Africa by force.

If the United States were a different country. For him, the implication was obvious: The United States wasn't that kind of country. It was an anti-revolutionary power with a long pro-apartheid record. The United States didn't liberate countries, at least in the postcolonial world. At best, it stood aside.

I agreed. But, as the years passed and liberals debated war and peace, the phrase kept nagging at me. If the United States were a different country, and not merely motivated by oil, it could be trusted to expel Saddam from Kuwait. If the United States were a different country, one really concerned about human rights, it could be trusted to bomb Slobodan Miloševíc out of Bosnia and Kosovo. At some point during the 1990s, I began to see it as a trap. There were no other, purer methods and no other, purer country. At least, that was how the Kuwaitis and Bosnians and Kosovars and Afghans seemed to feel.

Then Makiya came along, beckoning the United States further. The Gulf war had been mostly about oil; Afghanistan mostly about self-defense. They required little idealism. Bosnia and Kosovo, on the other hand, had been multilateral efforts conducted from 15,000 feet. They required little risk. Makiya was proposing something far more ambitious: a ground war, not to stop an ongoing genocide, but to overthrow a horrific regime. The war did have a national security rationale (although, in retrospect, it collapsed in late 2002 when the United Nations restarted inspections and those inspections found no weapons of mass destruction). But even that was linked to a moral argument, since hawks believed that Saddam, like past totalitarians, might export the cruelty he was inflicting at home. (To some degree, he already had.) That's why Makiya insisted that an Iraq invasion do more than merely replace Saddam with a more pliant Baathist general. In deadly earnest, he was asking the United States to become what that South African exile could not even contemplate without laughing: a revolutionary democratic power. For Makiya's neoconservative allies, the idea was intuitive: In their air-brushed narrative, that's what the United States had always been. But Makiya knew better; he knew that the United States had intervened more frequently in the Third World to quash democracy than to spread it. He knew that the Bush administration had other, darker motives. And yet, made desperate by Saddam's horrors and his resilience, he was willing to gamble.

I was willing to gamble, too—partly, I suppose, because, in the era of the all-volunteer military, I wasn't gambling with my own life. And partly because I didn't think I was gambling many of my countrymen's. I had come of age in that surreal period between Panama and Afghanistan, when the United States won wars easily and those wars benefited the people on whose soil they were fought. It's a truism that American intellectuals have long been seduced by revolution. In the 1930s, some grew intoxicated with the revolutionary potential of the Soviet Union. In the 1960s, some felt the same way about Cuba. In the 1990s, I grew intoxicated with the revolutionary potential of the United States.

Some non-Americans did, too. "All the Iraqi democratic voices that still exist, all the leaders and potential leaders who still survive," wrote Salman Rushdie in November 2002, "are asking, even pleading for the proposed regime change. Will the American and European left make the mistake of being so eager to oppose Bush that they end up seeming to back Saddam Hussein?"

I couldn't answer that then. It seemed irrefutable. But there was an answer, and it was the one I heard from that South African many years ago. It begins with a painful realization about the United States: We can't be the country those Iraqis wanted us to be. We lack the wisdom and the virtue to remake the world through preventive war. That's why a liberal international order, like a liberal domestic one, restrains the use of force—because it assumes that no nation is governed by angels, including our own. And it's why liberals must be anti-utopian, because the United States cannot be a benign power and a messianic one at the same time. That's not to say the United States can never intervene to stop aggression or genocide. It's not even to say that we can't, in favorable circumstances and with enormous effort, help build democracy once we're there. But it does mean that, when our fellow democracies largely oppose a war—as they did in Vietnam and Iraq—because they think we're deluding ourselves about either our capacities or our motives, they're probably right. Being a liberal, as opposed to a neoconservative, means recognizing that the United States has no monopoly on insight or righteousness. Some Iraqis might have been desperate enough to trust the United States with unconstrained power. But we shouldn't have trusted ourselves.

"Why, exactly, did you support this war?" asked my wife. Her sister is an Army brigade surgeon at Camp Taji, north of Baghdad, treating kids burned from head to toe. (For more on her experience, see "Soft Power," page 34.) Our toddler niece is in San Antonio, spending the year without a mom. I'll always consider Makiya a hero. But I haven't seen him, or read anything he's said or written, in several years. He's living, and suffering, with the consequences of this war, I suppose. And so are we.

PETER BEINART

Peter Beinart is a senior fellow at the Council on Foreign Relations.

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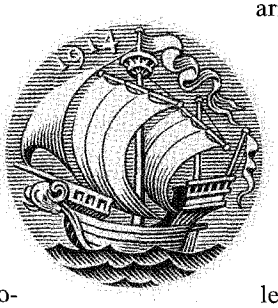
Back Burner

NOT LONG AFTER George W. Bush proudly declared last year that he had no intention of watching Al Gore's *An Inconvenient Truth*, he told reporters that there was a "fundamental debate" about whether global warming was "manmade or natural." It was an ignorant statement utterly at odds with the scientific consensus. Recently, however, he tried to walk it back. "Beginning in June 2001," read a White House letter released last month, "President Bush has consistently acknowledged climate change is occurring and humans are contributing to the problem." (A second letter claiming that the White House consistently acknowledged that Saddam Hussein had no WMD is said to be forthcoming.)

Revisionism aside, it's nice to see the administration swear off pointless skepticism about the science of global warming. Indeed, as the Intergovernmental Panel on Climate Change prepares to release its latest report, declaring with 90 percent certainty that manmade greenhouse gases are heating the planet, the debate over global warming has shifted. Erstwhile skeptics are scattering for cover. Businesses are lining up in support of a mandatory cap on carbon emissions. Democrats have declared the issue a top priority.

It's not a moment too soon. To stave off melting ice sheets, rising sea levels, and other potentially calamitous effects of large-scale climate change, we should have started working to stabilize carbon-dioxide levels in the atmosphere years ago. But, while there are unimpeachable policy grounds for rushing to action, the political logic of hastily moving forward is less convincing. Public alarm over global warming is just beginning to build. And the president, despite his shift in rhetoric, still opposes mandatory reductions in emissions. If Democrats in Congress act tomorrow and produce a bill that can pass muster with the White House, they will end up with an inadequate half-measure that could deflate the growing pressure to act meaningfully.

Consider the current raft of climate-change legislation. The only piece that has a chance of surviving a GOP filibuster and Bush veto is one sponsored by New Mexico Senator Jeff Bingaman. His bill would implement a cap-and-trade regime, setting a national limit on carbon emissions and allowing companies to buy and sell pollution credits—a system that worked with acid-rain legislation in the 1990s. But Bingaman's proposal includes "safety valves" that give companies an out, and it doesn't reduce emissions quickly enough. Unfortunately, stronger bills—such as one sponsored by John McCain, Joe Lieberman, and Barack Obama—stand almost no chance, even with the current Democratic majority. (Last time around, that bill netted only 38 votes.)



Democrats, eager to show that they are capable of governing, could rally around Bingaman's toothless bill. Or they could pursue a course that offers the promise of truly meaningful action: They should embrace the strongest bill possible, suffer a Senate filibuster or Bush veto, raise public awareness, and simply bide their time until 2008. Most political observers like the Democrats' chances of picking up seats in the Senate then, and nearly all of the leading presidential contenders—from McCain to Hillary Clinton—take climate change more seriously than Bush. Public pressure will also continue to intensify (already, the Climate Action Partnership, a coalition of companies led by GE and Duke Energy, is pushing for legislation along the lines of McCain-Lieberman-Obama). Then, and only then, will effective action be possible.

Waiting, of course, entails potentially grave risks—especially since the process of reducing emissions is likely to move slowly no matter what. For one thing, wending any meaningful piece of legislation past retrograde committee chairmen and meddling industry lobbyists will take years. For another, averting drastic climate change will involve a mix of emissions caps and mandates for renewable energy—all of which will take time to perfect. The cap-and-trade regime in Europe has faltered in its early stages, suggesting that any new system will invariably arrive with kinks that need to be worked out.

But what other choice is there? Thus far, on issues ranging from the minimum wage to Medicare, congressional Democrats have, appropriately, crafted moderate legislation that has some chance of passing, rather than trying to jam through ambitious policies that would only get smacked down by the White House. After all, a modest minimum-wage hike beats none at all. But climate change is different. There won't be many chances to get this right, and Democrats will need to wait until they can go for broke. ■

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On the Hill

Lay Down Sali

BY EVE FAIRBANKS

On January 10, freshman Republican Bill Sali got up to speak at the House debate on the minimum-wage increase. The measure was sure to pass, and the debate was so stultifying that even Alcee Hastings, languorously draped in the speaker's chair, looked bored. Gripping the podium, the burly Sali began with the customary boilerplate. Then he paused and, as a smile spread across his silver-goateed face, continued: "Mr. Speaker, I have asked my staff to draft a measure I call the Obesity Reduction and Health Promotion Act. Since Congress will apparently not be restrained by the laws and principles that naturally exist, I propose that the force of gravity—by the force of Congress—be reduced by 10 percent."

A parody bill to promote weight loss by limiting gravity! Brought to life, the handful of Republicans in the chamber hollered appreciatively, and Buck McKeon, the presiding Republican, beamed and guffawed like a proud papa.

Sali's quick rise in Washington began ten days after winning his race in Idaho, when his fellow Republican newbies elected him president of their freshman class. Yes, it's kind of like high school: Every two years, each party's rookie representatives get together and vote by secret ballot for their class president, who assumes such thankless duties as providing a room and refreshments for the class's weekly meetings. (This year, Sali even plans to arrange mixers with the Democratic frosh.) Although not all winners go on to greatness (Representative Roger Wicker, class of '94, continues to toil away in relative obscurity), they usually look impressive on paper and have an eager-to-achieve attitude: GOP class of '04 Bobby Jindal's official congressional biography includes his 4.0 GPA from Brown.

Sali, on the other hand, not only happens to be the freshman class president, he totally *is* a freshman class president, at the soul level: a cut-up, a hell-raiser lauded by his new peers in Washington but resented by authority figures in his past. This history might not seem like a high recommendation for a leadership post, but it's why he's perfect for the job.

Last April, in the midst of his primary campaign for the First District's open congressional seat, Sali made a speech in the Idaho state legislature that linked abortion to breast cancer in front of a colleague who'd battled breast cancer. The Republican speaker had to shut the session down, and he later railed to reporters that Sali was an "absolute idiot" who "doesn't have one ounce of empathy in his whole fricking body."

Before Sali entered political life, he had a modest career practicing law, selling Caterpillar equipment, and playing the drums in combos like Idaho the Band, a finalist in the True Value Hardware Country Showdown. But, in the state legislature, which he joined in 1990, he achieved a certain variety of fame. Another Republican speaker once threatened to throw Sali out his office window; several other representatives allegedly asked him to please do it from a higher floor. In 2002, Sali provoked a furor when he said that Idaho taxpayers shouldn't pay for Medicaid abortions "just so a girl can have a nice bikini figure." And he became the butt of local jokes when he opined that "much of the time in the legislature, critical-thinking skills are not necessarily needed." He stated this in a lawsuit where he claimed that a car accident afflicted him with a condition he described as "brain fade."

In 1998, when Republicans had a majority to preserve, Republican freshman president Jim DeMint cautiously warned his class against "stirring up trouble" like the "crash-and-burn" revolutionaries of 1994. But now, when congressional Republicans are demoralized, the capacity to stir up a little trouble looks more heroic. Sali was encouraged to run for president by fellow Club for Growth–supported freshmen, who respected the way he'd uncompromisingly faced a hostile press. "I went through a tough election myself," explains Colorado's Doug Lamborn. On principles and style, Sali evokes the gleeful warriors of '94, particularly those theatrical anti-government Westerners like Idaho's Helen Chenoweth-Hage, who held endangered-salmon bakes. "He's an interesting presence," says a House Republican leadership aide, likening him to "strong conservatives in the past, Newt Gingrich, these bomb-throwers that come up"—and adding that John Boehner is looking for spirited people who can keep them in the game.

But some in the party don't want the return of Rambo Republicans. After all, they probably lost this year not because they drifted too far from the aesthetic of '94, but because they failed to evolve beyond it. Sali himself perceives that the whole political idiom might be more affable and technocratic now: In our conversation, he reveals a fascination with the nuts and bolts of policy and even seems to hope his more provocative moments will inspire respect from Democrats. After his obesity bill stunt, Sali reminds me, Hastings "was just laughing his guts out! And, on a personal level," he continues, "I haven't said two words to him, but I know that we connected at that moment."

But was Hastings laughing *with*, or laughing *at*? No matter. It's his fighting skills—not his bonding ability—that get Sali noticed, and he's willing to deliver. Just before we meet, I catch Sali on a television outside the Natural Resources Committee room, where he is stuck in a hearing. The ring of seats for representatives is practically empty, but Sali remains, relentlessly grilling a beleaguered female bureaucrat who alternately protests that his questions are not on topic and looks back haplessly at the legs of the witnesses seated behind her for help. When he emerges to walk me back to his office, he grins. "I was having so much fun in there!" ■

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Iraq's refugee nightmare.

The Exiles

BY ANNA HUSARSKA

AMMAN, JORDAN

ONE DAY IN late February 2004, a 30-year-old Iraqi Christian named Jourj found a note stuck to the windshield of his friend's car: "Be cautious, your day is approaching, oh traitors of Iraq and slaves of dollar," the message warned in Arabic. It was addressed to Jourj, his younger brother Tony, and the car's owner, Munir, all of whom were working as contractors at a U.S. military base south of Baghdad. A tall man with a broad smile, Jourj has a wife and two sons, now nine and four. He had gotten work as a satellite technician on the base through his uncle Danny, an Iraqi-American who served as a translator for U.S. forces. Now he was earning an average of $2,000 per month—more than he had made before the invasion.

But the warning from Iraqi insurgents was clear: Cut ties with the Americans or face retribution. Jourj consulted Tony and Munir. "I showed them the note and we agreed that we cannot simply stop working for the Americans," he recalls. "We had all sorts of commitments. I took an advance to do maintenance of the bathrooms, and tent after tent of soldiers wanted to have the decoder installed to watch Fox News and other American channels on television."

Two weeks later, on the evening of March 5, Jourj and Tony piled into Munir's Opel and headed home from the base via a mostly deserted highway. Jourj was exhausted, so he took the back seat, where he slumped into a half-sleep; Tony sat on the passenger side in the front. Munir was going about 120 kilometers per hour, but suddenly he looked in his rearview mirror and noticed a car quickly gaining ground on them. "This is trouble," he murmured. "May God protect us." As the vehicle overtook them, bullets sprayed into Munir's car. Jourj was relatively unharmed; Munir was shot in the shoulder but survived. Tony, however, was killed.

Six days after burying his brother, Jourj was, incredibly, back at work on the base. "I wanted to fulfill my commitments," he explains. But, after only a few days, he received a phone call at home in the evening. "You were the target," a voice said. "You are next." That was as much as Jourj could take. The next day, he, his wife, and his sons left home for good. They changed locations around Baghdad for over a month, waiting to observe the traditional 40th-day mourning ceremony for Tony. As soon as it was over, they hired a driver for $350 and traveled four hours to the Jordanian border. The good news was that they were safe. The bad news was that they were now refugees—and their problems had just begun.

THESE DAYS, YOU can find stories like Jourj's throughout Jordan and Syria—stories of Iraqis who put their faith in America's ability to transform their country and, when America failed, were forced to flee for their lives. Millions of Iraqis have been displaced from their homes since the start of the war in March 2003. Of those, perhaps two million have fled their native land, many taking up residence in Syria, Jordan, and Egypt. But these host countries won't allow them to stay permanently, they can't go back to Iraq, and there are few opportunities for resettlement in third countries. The best that can be said for their situation is that they made it out of Iraq alive. In many cases, though, they escaped with nothing, and now their futures are in limbo.

A few streets away from where Jourj settled in Amman lives Juliana, another Iraqi Christian whose family was turned upside-down by its involvement with the U.S. military. (A disproportionate number of the Iraqis I met who had worked with Americans are Christians; perhaps Americans prefer to hire them because it minimizes the cultural gap.) Both her brother and sister were translators for the Army. "There was a captain and a lieutenant who loved my mother's cooking—especially *dolma*, the stuffed peppers—and they called my mother 'Mum,' " says Juliana, a petite 32-year-old with stunningly big black eyes. Their family's relationship with U.S. forces began in April 2003, when loudspeakers blared through the streets of Baghdad announcing job opportunities with the U.S. Army. Juliana's younger brother, Sargon, went for an interview. An engineer by training who had been forced to work as a bakery cashier because he wasn't a member of the Baath Party, Sargon spent much of his free time and money in Saddam-era Iraq on tapes of foreign films. The result was that he learned English well, though at first his vocabulary was based mostly on *The Lord of the Rings* and Arnold Schwarzenegger movies. It came in handy: The Army hired him on the spot, with a starting salary of $600 per month.

Initially, the job seemed promising, but rumors soon surfaced that children with family members working for the Americans would be kidnapped. Juliana's father was told by the owner of their neighborhood supermarket—a Baath Party member known as Abu Ali who would soon close down his shop and disappear—that his daughter's three-year-old son was to be kidnapped because of Uncle Sargon's job. Juliana told Sargon, and the Americans offered to put a gun truck in front of his family's compound. This, all his relatives agreed, would simply cause more trouble. So Juliana, her husband, and their son fled to Amman in August 2003.

Meanwhile, Sargon continued to excel. His salary doubled, and he was leading a team of translators. His superior in the First Cavalry Division penned a recommendation at-

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testing to his loyalty and bravery. "[B]ecause of his dedicated service to the Coalition Forces in the fight against terrorism," his commander wrote, "insurgents have made many credible threats on his life, but he has continued to perform his duties to the highest standard." So as not to endanger his family, he visited his parents only once every three months, sneaking in at 3 a.m. and being picked up by the Americans again 24 hours later from a nearby police station. To allay suspicions, his mother told neighbors that he was in Syria.

Then, in April 2004, a bomb exploded under the truck in which Sargon was riding, and the vehicle fell into the Tigris. One soldier died, another was hurt, and Sargon suffered an injury to his forehead. He was hospitalized for three months, during which time he received a skin graft. He grew long hair and, when he returned home, concealed the injury from his mother. Still, she was becoming increasingly nervous; Sargon was her only son, and she was not ready to lose him. She spoke on the phone with a relative in New Zealand, who suggested that Sargon could leave Iraq and settle elsewhere by getting married. Soon, a cousin had located Jacqueline, an Iraqi Christian living in Auckland. During a one-hour phone conversation, Sargon made his case. E-mails were subsequently exchanged, and Sargon, armed with gold jewelry, departed for Amman, where he obtained a visa for New Zealand. Before leaving, he had recommended his younger sister, Gina, to the Army as a potential translator. She, too, would work for the Americans. She, too, would be threatened. And she, too, would flee Baghdad, eventually joining her sister, Juliana, in Amman.

At least she is alive—not everyone is so lucky. In Amman, I also meet 49-year-old Layla, who shows me photos of her daughters Lina and Rita. They and their younger brother, Roone, were working at a base north of Baghdad Airport in 2004, doing laundry for the Army. On August 18 of that year, the Humvee in which they were traveling to work was attacked by insurgents. Lina and Rita were killed. Roone escaped and immediately fled to Greece; from there, he sent word that insurgents were bent on killing the whole family. So, after Layla and her husband, Samir, buried their daughters, they used the $5,000 the U.S. Army gave them as compensation to move to Amman. There, they live with their 16-year-old daughter and three other adult sons in two basement rooms. One son worked at a billiards café and the others worked at a factory, but all three were caught without work permits and fired. Layla has bouts of uncontrollable sobbing. Samir had a heart attack last year. Their daughter does not go to school.

Of course, in Iraq, you need not be employed by Americans to receive death threats. Angam was threatened because her husband owned a liquor store; Majeda because she refused to marry a Shia; Leila because her son was an engineer; Selivia because her father was a barber; and so on. All have fled Iraq, and all have heartbreaking stories. Still, while many Iraqis suffered in the course of being chased from their homeland, it is those whose families loyally served the United States to whom the United States owes the most. Yet so far, America has, for the most part, turned her back on them in their hour of need.

Of the maybe 1.5 million Iraqi refugees in Jordan and Syria, about 70,000 have been recognized as asylum-seekers so far, although such recognition confers no particular rights on them. Neither country is offering Iraqis any possibility of local integration. The option of resettlement to third countries is the best one, if only because there is no other obvious solution. The United States, which started the war that forced so many Iraqis to flee, would be the logical place for many of them to go. Clearly, America cannot take all or even most of them. But if Washington were to decide to take a large number—say, several hundred thousand—it would be sending a signal that it is willing to do its part. This might galvanize others—such as Canada, Australia, or the EU countries—to accept a significant influx of Iraqis as well. Since 2003, however, America has taken in only 466 refugees. The Bush administration recently offered to accept an additional 7,000. But this will barely make a dent.

To be sure, the prospect of resettling Iraqi refugees in the United States raises legitimate security concerns—namely, that terrorists could slip in alongside bona fide asylum-seekers. But because the screening mechanisms for refugees are much more thorough than for those seeking tourist, student, or business visas—the process includes, among other hurdles, detailed interviews with the Department of Homeland Security—it seems unlikely that a terrorist would choose the "refugee track" as his means of entering the country. Besides, among the millions of Iraqis who have fled their native land, the United States can surely identify several hundred thousand refugees who pose no security risk.

If the United States does not open its arms—and not just to those who worked for the U.S. occupation but to other Iraqis who fled persecution as well—then I am afraid I may return to Amman and Damascus in several years to find the same people living in the same conditions. Jourj, Gina, and Juliana were all allowed into Jordan, but now their compulsory registrations have expired, and, if caught, they could be deported. (According to a relief worker in Amman, some 50 Iraqis are deported every week.) Iraqis are not legally allowed to work in Jordan, and they have no access to the country's public health care system. In the cramped apartment in Amman where Jourj lives, only one room is heated, and his sons walk around indoors in winter boots and thick sweaters. The rest of the apartment is so cold that, when I went with Jourj to the other room to look at his brother's photo, I could see the fog of his breath.

In theory, Jourj and Juliana should have a better shot than most refugees at making it to the United States, since they have close relatives who are American citizens. Juliana's in-laws live in Chicago and applied in 1993 to have their son—now Juliana's husband—join them; but, by the

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time clearance came in 2000, he had a wife and child, so they had to reapply. Years later, they are still waiting for a definitive answer. Jourj, whose parents and three sisters live in Michigan, has yet to ask them to apply for family reunification. Still, even if they apply now, it will probably be a long time before Jourj learns his fate.

After the Vietnam war, roughly one million Vietnamese were resettled in the United States. Among them were men like Jourj, who had earned the admiration of U.S. troops. "His commitment to our soldiers," wrote an American sergeant major who worked with Jourj, "was tremendous and epitomized the words Loyalty and Duty." Now it's America's turn to show a similar commitment to Iraqis who were forced from their country. The United States cannot, by itself, save all of them. But it can provide a new home for many. And that would be a start. ■

A liberal for Libby.

Trial and Error

BY DAVID GREENBERG

In October 2005, things looked grim for the Bush White House. The president was reeling from the serial disasters of Hurricane Katrina, the botched Harriet Miers nomination, and escalating chaos in Iraq. Perhaps worst of all, U.S. Attorney Patrick Fitzgerald's inquiry into "Plamegate"—the blowing of CIA agent Valerie Plame's cover—seemed poised to bear fruit. Left-wing bloggers giddily anticipated a "Fitzmas" day when Karl Rove might be "frog-marched out of the White House," as Plame's husband, Joseph C. Wilson IV, so memorably put it.

As it happened, Fitzgerald soon indicted not Rove but I. Lewis "Scooter" Libby, then Vice President Dick Cheney's chief of staff, on perjury and related charges. Despite some sadness that Rove eluded the prosecutor, left-liberal precincts continued to brim with kudos for Fitzgerald and with scorn for the targets of his probe and for the big-name journalists—notably columnist Bob Novak and *The New York Times*' Judith Miller—caught up in its snare.

Now, as the saga nears its end, we can begin to tally its costs and benefits. While the Bush administration remains intact (barely) and Rove is still ensconced in the West Wing, Libby seems likely to face some penalty for failing to come clean about his conversations with reporters—if not a guilty verdict, then the loss of his job and reputation and someday an obituary that will describe him as one of the few pelts that liberals were able to nail to the wall in the otherwise dismal years of the Bush presidency.

There are many emotional satisfactions to be gained from Libby's plight. It's easy to relish the thought of this administration, whose dirty politics went too long unpunished, finally being held accountable. And, given the subtext of the affair—a debate over the casus belli of a now widely reviled war—the invasion's opponents have naturally found vindication in the pursuit first of Rove and now of Libby. Indeed, on a cosmic level, this comeuppance is deserved. It's contemptible for the White House to have unmasked a CIA officer—and the Republicans' decades-long demagoguery on the security issue should now be seen for the hypocrisy and opportunism that it has always been.

But I think my fellow liberals, partaking in some hypocrisy of their own, have failed to grasp the true toll of this inquisition. We're supposed to be champions of the First Amendment and foes of overzealous prosecutors. For most of the postwar era, we were the ones who demanded greater exposure of government secrets, sharper skepticism about blanket claims of "national security," and stronger support for reporters against the assaults of the organized right. In keeping with those convictions, we should have protested this overwrought case from the start. In fact, applauding it actually benefits the Bush administration—and future regimes of its ilk—by further sanctifying secrecy and demonizing the press.

What was at stake in this case? We can reject one possibility: that it matters much whether Libby lied to Fitzgerald's investigators. It's widely agreed that prosecutors charge perjury when they can't prove the allegations that spurred their original probes. Liberals normally reject this use of perjury as a primitive, arbitrary form of justice—as many eloquently argued during Bill Clinton's impeachment.

Besides, most liberals have backed the Fitzgerald prosecution for a different reason: that it exposes and potentially punishes the Bushies for politicizing national security. It's argued that outing Plame violated the 1982 Intelligence Identities Protection Act, a law barring the deliberate exposure of a covert agent. Now, even on these grounds, it's tough to prove that Libby's leak compromised anyone's safety. No concrete examples have surfaced of lives endangered or missions compromised. Nonetheless, it's possible that Fitzgerald's boosters are (in a departure from past tendencies) genuinely upset by the potential harm to some unknown intelligence project.

It seems to me, however, that the "national security" frame for viewing this case is badly warped. A more compelling way to look at it is as a matter of freedom of communication—a freedom imperiled by this case and other recent prosecutions like it. Citizens, after all, depend on the unauthorized release of classified information to learn about secret government activities, and many important reasons exist to keep leaks flowing. Most obviously,

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they bring to light abuses of power. But, even in more mundane cases, where no scandal is unearthed, leaks furnish the public with data with which to debate major policy decisions. If, in the run-up to the Iraq invasion, the administration had released its entire dossier of classified material—not just selective shreds of evidence for its assertions that Iraq was building nukes and succoring Al Qaeda—Bush might have found it harder to launch the war. Yet, spooked by September 11, precious few voices demanded disclosure.

During the cold war, it was different. Back then, liberals distrusted claims of national security as pretexts for concealing information. And, through the mid-'70s, that skepticism prevailed in the court of public opinion. But the appetite for disclosure began to atrophy by the decade's end. (The passage of the Intelligence Identities Protection Act in 1982 was a sign of its ebbing.) And, if it was cooling by the '80s and 1990s, since September 11 it has gone into a deep freeze. The fetishization of national secrets has returned.

Some culprits responsible for ushering in this dark new era are obvious, from Cheney to exponents of a "unitary theory of the executive." But aggressive prosecutors may have exacted the greatest long-term damage. Besides Fitzgerald's, there have been a series of troubling cases in this vein, including the probe of two officials at the pro-Israel lobbying group AIPAC for accepting secret material from a Pentagon analyst. Should these lobbyists be convicted, it would imperil the right of journalists to receive classified data. In addition, Pulitzer Prize–winning disclosures by *The Washington Post*'s Dana Priest (of secret CIA prisons) and the *Times*' James Risen (of illegal government wiretapping) have prompted calls to investigate and punish these reporters and their sources.

Although the right has continued to fight against disclosure by claiming that reporters like Priest and Risen imperil our safety, it can no longer bear sole blame for this unfriendly new climate. American political culture as a whole has grown troublingly tolerant of high-handed tactics used against reporters and troublingly unsympathetic to the reporters themselves. And liberals, buying into the notion that Plame's outing deserves criminal punishment, have bolstered this impulse to suppress by giving it across-the-board support.

Fitzgerald's cheerleaders sometimes retort that "true" whistle-blowing merits protection but malicious leaking doesn't. It sounds nice, but drawing such distinctions is subjective and treacherous. Sources blab for a tangle of reasons, selfish and selfless, and unscrambling motives will likely prove disastrous. In our climate of easily ginned-up fury toward the left, we can guess who will face the most vicious leak-related prosecutions—not GOP hardball artists, you can bet, but sources for reporters like Priest and Risen. In fact, last year the administration sacked a 61-year-old career CIA officer for allegedly talking to Priest. Few people noticed or cared.

BESIDES THE VALUE of airing secrets, liberals also used to defend something else: the Fourth Estate. While conservatives demonized the mainstream press, liberals—though aware of the elusiveness of objectivity and the institutional flaws of big media—insisted on the value of news organizations that aspire to neutrality and professionalism. In the Libby affair, however, progressives have pummeled "establishment" reporters as administration shills. One result is that they're again aiding the right's cause—not by justifying secrecy in the name of security but by delegitimizing the very idea of an establishment media that plays a democratic role.

To be sure, anger at the mainstream media can be warranted. A century ago, muckraker Will Irwin charged that, to woo sources, Washington correspondents had to go native and side with the powerful. His critique stands. Forty years ago, Senator Eugene McCarthy likened reporters to blackbirds on a wire, perching together and flying off all at once. The insight remains apt. But these valid and familiar critiques hardly justify the demonization of reporters we've seen in Plamegate.

Take Novak. Given the "Prince of Darkness" persona he adopts for his TV punditry—smirkingly churlish, playfully abrasive, forever promoting a staunch conservative line—it's no surprise that he irks liberal viewers. But those with longer memories should also respect his distinguished career. Though his syndicated pieces may no longer be required reading for understanding Washington, for years Novak and his partner, Rowland Evans, served up the rare, news-filled column that rested on hard reporting. Even liberals could appreciate the inside dope the pair delivered; it just meant screening out the right-wing asides.

Yet to read the recent attacks on Novak, you'd think he were just another GOP foot soldier, not a professional journalist who abides by a code of conduct—let alone one who frequently attacks Bush policy or other Republicans. It's ironic enough that he has been pilloried for citing Plame's name (the sort of disclosure liberals once considered legit). More unfairly, he has been skewered for shielding his main source on Plame, former State Department official Richard Armitage. Normally, we extol journalists for keeping their sources' confidences. But the *Times*' David Carr, for one, inverted this logic, chiding Novak for telling all "only when Mr. Armitage's role as a source was about to be revealed last fall." To have spoken sooner, of course, would have been to break faith.

Still, if it's short-sighted, it's nonetheless understandable that liberals would blast Novak for dropping Plame's name. Far less defensible was the vitriol poured on journalists who *didn't* blow her cover. In particular Judith Miller, formerly of the *Times*, became quarry for the left, hounded even when she was serving time for contempt of court.

Until the Iraq war, readers who knew Miller's byline considered her one of the more knowledgeable American journalists about the Middle East and terrorism—even if, inside the paper, her competitive ways earned her enemies.

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Then, in the run-up to war, Miller wrote several stories that credulously relayed key administration talking points. Infamously, she co-authored a piece in September 2002—contested at the time and later roundly discredited—stating that Iraq had sought to obtain aluminum tubes for building nukes. For this parroting of White House propaganda, Miller deserved reproach. The penalty for bad journalism, however, shouldn't be hard time. Yet that's what she suffered, salved by few sympathy cards from civil libertarians.

Miller had never outed Plame or even written about her. She had merely spoken to Libby about the CIA operative. But, in 2004, Fitzgerald subpoenaed Miller, demanding she divulge her sources for her never-written story. She refused, citing a pledge of confidentiality. Months later, Federal District Judge Thomas F. Hogan held her in contempt, and, in July 2005, she went to jail. *Times* editor Bill Keller accurately called her stand "brave and principled." It should have elicited admiration from First Amendment lovers. That she was shielding a disreputable source arguably made her silence more laudable, since it suggested she wasn't keeping promises selectively.

But the venom directed at Miller stemmed less from her behavior toward Libby than from the timing. In the summer of 2005, the Iraq war was spiraling into disaster and former fears of a nuclear Saddam were coming to seem tragically naïve. Miller became loathed anew for having originally stoked those fears. So, after her release from prison, she was greeted not with laurels but with fiercer criticism. Even Keller changed his tune, placating staffers who had clashed with Miller by saying he should have dealt with her differently—and then letting his criticisms appear in the *Times*. Having lost the confidence of her boss, Miller was doomed. In November 2005, her 28 years at the paper came to a close.

It was shabby treatment. The *Times* had already spilled much ink defending her reporting, even after it was proved wrong. To turn around and thrash her, after she had gone to prison for a journalistic principle and with no new revelations of malfeasance, reeked of ingratitude and scapegoating.

WHAT MATTERS HERE isn't the handling of one person but, again, the pattern of strong-arm efforts to make reporters fink on their sources. I've mentioned the AIPAC, Priest, and Risen matters. But contempt-of-court charges have also been wielded against *San Francisco Chronicle* writers in a federal drug trial (the prosecution relented just last week); against reporters in the case of scientist Wen Ho Lee; and in the (admittedly more complicated) situation of 24-year-old videoblogger Josh Wolf—jailed for a record length of time because he did not surrender his tape of a violent 2005 protest.

Clearly, there's no conspiracy among the prosecutors, no marching orders from Alberto Gonzales. But neither should these cases be treated without reference to one another. Prosecutors are exploiting a moment of weakness for reporters, who are under assault not just from the White House, not just from the revanchist right, but now also from the left. Liberals have proved all too eager to join the attacks on the established news outlets, oblivious to the profit the right will reap. An indefatigable reporter like Miller or a great columnist like Novak certainly should be called to task when they screw up—or abet a White House smear. But the validity of their enterprise itself shouldn't be gainsaid for short-term partisan satisfaction.

I don't think liberals have totally forsaken their values. In cases like the wiretapping story, they've summoned their time-honored revulsion at government attempts to squelch information. But, regarding Libby, the left has acted differently. It has succumbed to an antipathy toward an unsavory White House operative and a few unloved journalists and has cheered on a crusading prosecutor's misguided tribunals. Everyone should have a moment to gloat. But we all would do well to recall that, if today it is Dick Cheney's henchman who stands in the dock, tomorrow it may be someone else's—John Edwards's, Hillary Clinton's, or Barack Obama's. ■

A blight in the museum.

Smallville

BY KEELIN MCDONELL

IN 2000, THE U.S. Fish and Wildlife Service received an anonymous tip that a luxury apartment near the Dupont Circle neighborhood of Washington, D.C., housed a private and possibly illegal collection of tribal art. People who had visited the apartment whispered that its walls showcased hundreds of artifacts, including many containing what appeared to be plumage from rare or endangered birds. There was no way to know for sure, since the collection's owner had forgone plaques and scholarly labels and arranged the items to complement his décor. An inquiry began, and the agency's questions were quickly met with paperwork—import permits, contracts, receipts—from the owner and his lawyer. But, even after the investigation closed, the rumors persisted. Eventually, photographs of the controversial gallery published in magazine profiles of the owner piqued wildlife officials' interest once again. Four months after the initial investigation, officials reopened the case and asked him to allow another examination.

This was awkward in part because the owner, Lawrence Small, was head of the Smithsonian, one of the nation's premiere cultural institutions. And then there was the problem of his shifting stories. In December 2000, Small told *Architectural Digest* that he had legally purchased many of the artifacts while traveling through South America in the 1980s.

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But, when wildlife officials questioned him less than a year later, he claimed he had bought the bulk of his collection from an anthropologist in North Carolina in 1998 for about $400,000. After months of sifting through over 1,000 Amazonian artifacts, ornithologists and mammologists from the agency discovered that over 200 of the objets d'art contained feathers from protected birds, including the crested caracara and the roseate spoonbill. On January 5, 2004, a U.S. attorney in Raleigh, North Carolina, filed charges against Small for violating the Migratory Bird Treaty Act. Small pleaded out to a class B misdemeanor; a federal judge ordered that he serve two years probation and 100 hours community service.

The modern museum was conceived as a byway connecting scholarship with the masses. It was meant to liberate knowledge and art and science from the monopoly of rich dilettantes and stuffy academics. So it's odd to see the head of America's most important network of museums hoarding cultural treasures for himself. And, unfortunately, Small has run the Smithsonian in the same vein. He has padded his own paycheck and those of his fellow executives while slashing research funding. Instead of protecting this prized collection for the public, he has cut deals with the private sector that limit mass access to its trove. As Representative David Obey put it, Small is as "crassly commercial as anybody in town." His highly corporate modus operandi has made him "the most reviled and detested administrator in the institution's history," in the words of a Smithsonian scientist who, in 2001, wrote a letter of complaint to the institute's regents. Worst of all, Small's pursuit of profit has largely failed. While donations are up, the institution has fallen short of its revenue goals and kept its funds far from researchers' pockets. In a few short years, Small has managed to turn good scholarship into bad business.

IN THE 161 years since James Smithson's half-million dollar bequest became the Smithsonian, the institution has amassed a collection of over 130 million objects, from ancient fossils to modernist paintings. But, among the Smithsonian's many holdings, the National Museum of Natural History (NMNH) is perhaps where its original benefactor would have felt most at home. Smithson was a naturalist, and, in addition to his cash donation, he contributed the beginnings of the museum's mineral collection. Housed in an enormous, green-domed building on the National Mall, today the NMNH is one of the most visited museums in the world.

Visitors might be forgiven, however, for imagining that the museum is more concerned with the diffusion of merchandise than of knowledge. The NMNH boasts four gift shops, two restaurants, and an IMAX theater. Dinosaurs are among the museum's most popular features, and the foyer gift shop caters to this enthusiasm. The extinct behemoths are everywhere—stuffed stegosauruses, tiny T-rexes inside water-soluble eggs, packets of plastic pterodactyl bones. Kids gather around a machine that squashes a dinosaur imprint onto pennies.

Just in front of all this commerce is where I meet Igor Krupnik, a Smithsonian anthropologist with a bald head and pale, bushy eyebrows. "The Smithsonian is starving," he explains. "And, when that happens, so do all kinds of unknown commercial ventures." He's referring not to the gift shops but to a raft of controversial corporate deals to which Small has committed the institution—usually with little or no input from below. On the day I visited Krupnik, the Smithsonian had just announced a new partnership with the digital media company Corbis, and the anthropologist was upset. Whereas in the past individual museums or researchers had considerable latitude in determining which Smithsonian images might be used by outsiders and on what terms, now Corbis will retain rights to sell images of the Smithsonian's collection on its website. "This is the next storm," Krupnik says. "Basically, everything is on sale now."

Krupnik is the current head of the senate of scientists, a body of scholars at the NMNH who meet periodically to discuss "bureau"—Smithsonian shorthand for an individual museum—and institutional business. He left Russia to join the NMNH's Arctic Studies department in 1991 and now occupies a large third-floor office just past the entomology department's glistening new specimen storage units. Throughout his career at the NMNH, Krupnik has been pleased with the intellectual support and camaraderie he has found among Smithsonian scientists. But he has grown increasingly concerned about the tension between the institute's academics and executives. "They are corporate people, and they behave like corporate people," Krupnik says of Small and his fellow Smithsonian executives. "It's a culture clash. We are scientists, we have peer review, we cannot do anything in secrecy. And they have to do a lot in secrecy."

That includes such deals as the Corbis venture and a still more controversial deal Small struck with Showtime last year. One comment I heard over and over again from Smithsonian scientists was that they were open to commercial partnerships; they just wanted to be consulted before the ink was dry on the contracts. And Small's wheeling and dealing has hardly resulted in a windfall of funding—or, at least, funding that researchers have been able to get their hands on. As Krupnik notes, the institution's finances are so strapped, and its fiscal bureaucracy so convoluted, that scientists often find it easier to fund their work with outside grants. Krupnik himself recently organized an exhibit at the NMNH called "Arctic: A Friend Acting Strangely," which was underwritten by the National Oceanic and Atmospheric Administration and a few other groups. None of the funding for the exhibit came from the Smithsonian.

IT WASN'T SUPPOSED to be this way. When the Smithsonian Regents—a prestigious board headed up by the chief justice of the U.S. Supreme Court and including the vice president and several members of Congress—invited Small to replace outgoing Secretary Michael Heymann in 2000, he was careful to present himself as a bohemian rather than a businessman. Though he had spent his

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Lawrence Small with his private collection.

career in banking and finance, he emphasized his knowledge of European languages and his travels throughout Latin America. He even reminisced with a reporter about his college-age career ambition to become "the world's greatest flamenco guitarist." Just before he took the Smithsonian's reins, *The New York Times* declared the former bank executive "more nuanced than his net worth" and celebrated the Smithsonian's decision to "bring a new level of financial savvy and managerial panache to the world's biggest museum complex."

But the bonhomie didn't last long. Small ramped up to chief executive mode almost as soon as he took office. Among his first proposals was the division of the Smithsonian into two "worlds"—museums and science. The idea was widely reviled and quickly shelved, but it seemed to reveal the new secretary's fundamental understanding of the Smithsonian. Small thought of the Smithsonian as having two separate missions: the museums, which would provide entertainment and cash flow; and the research, which would, at best, try to break even. Small envisioned a future in which the two interacted very little, failing to grasp that most staffers saw these worlds as one, with the museums serving as outlets for the scholars to communicate their work with the public, and the scholars, in turn, ensuring that the museums boasted the best possible collections. From the beginning, Small's model of corporate efficiency was an ill fit for this kind of symbiotic co-existence.

One of Small's next moves was no better received. In 2001, he announced his intention to shutter the National Zoological Conservation and Research Center, a respected animal reserve in Northern Virginia. Small reasoned that the closing would save the institution $2.8 million per year but offered few other justifications. Scientists rebelled, as did Virginia's congressional delegation, and the plan was scrapped. But Smithsonian staffers were so distressed by the debacle that Congress ordered a blue-ribbon panel to investigate Small's actions. Soon after, the new secretary made yet another financial misstep when a donor insisted that her multimillion dollar gift be used for a schlocky "Hall of Achievers" featuring such luminaries as Martha Stewart and Oprah Winfrey. Eventually, the philanthropist withdrew all but a tiny fraction of the gift.

Mixing business and scholarship is, of course, a problem that has plagued museums long before Small came on the scene. "Over the years, public sector support has declined pretty steadily as a percentage of museums' income," says Jason Hall, director of government affairs for the American Association of Museums. "They have to make that up in order to survive and expand." And the Smithsonian's position is a particularly tricky one: Despite being nestled in the heart of the nation's capital, the institution collects only about 75 percent of its funding from the federal government and is often called a "quasi-federal" agency. That means roughly one-quarter of the Smithsonian's intake comes from private sources—donations and earned income. Since the Smithsonian does not charge admission—"The idea," explains Helen James, a Smithsonian ornithologist, "is that the American taxpayer has already paid admission"—gift shops and restaurants must ring up tens of millions of dollars annually.

"I think we all understand that we've got to sacrifice our integrity to some degree," says Brian Huber, a paleobiologist who has been with the Smithsonian for nearly two decades. "Twenty years ago, we wouldn't have expected to have stores all over the place." The Smithsonian's shops—which include 26 on-site stores as well as a catalogue and an online ordering service—are crucial components of Smithsonian Business Ventures (SBV), a division of the institution formed in 1998 to centralize sales revenue. Officials at the time predicted that the SBV would return $55 million a year to the general fund (that is, profit shares that do not go directly to the museum where the money is earned) within 5 years. But, by 2006, it was earning just $23.9 million.

Last spring, this lag prompted the Smithsonian's inspector general to launch an investigation of SBV's accounting and compensation practices. Around the same time, the House Appropriations Committee took note of the enormous salaries (and extravagant bonuses) of Smithsonian executives, including Small himself. Records showed the secretary took home compensation equal to $813,000 in 2003. (For comparison's sake, the top salary for a federal bureaucrat is $152,000, or about one-fifth as much.) Twenty-eight Smithsonian executives, the panel pointed out, earn more than Cabinet secretaries. Huber says this fact hasn't escaped Smithsonian staffers. "I think what has people most frustrated," he sighs, "is that our trust fund is going to pay these enormous salaries. You have to sell a lot of T-shirts and a lot of pizza to cover those kinds of salaries."

And it's not just the salaries. Small has also been reluctant to give up other perks of his former corporate life. He has been known to charter private jets to shuttle him around. And he's rumored to have an especially cozy relationship with his board. Little wonder he's expected to remain secretary until 2011.

KAY CHERNUSH/SMITHSONIAN MAGAZINE

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SMALL'S LATEST ONGOING gaffe began in March 2006, when he announced the creation of Smithsonian Networks, a new 30-year joint venture with the cable network Showtime. The deal created an on-demand cable channel, set to debut next month, that will show original programming based on Smithsonian materials. Though Small and SBV executives toasted the partnership in the press, not everyone joined in the celebration. In particular, the deal's semi-exclusivity troubled many independent documentarians. According to the terms of the deal, which was brokered by Small and SBV chief Gary Beer, filmmakers will be restricted to "incidental" use of the museums' archives and staff unless they are affiliated with Showtime or apply for special approval. Effectively, this means that a private company will have a near-monopoly over a public resource, depending on how strictly the term "incidental" is interpreted. Last April, more than 200 filmmakers and historians, including Ken Burns and Michael Moore, signed a protest letter and asked that further details of the deal be disclosed. Small refused, citing a "confidentiality provision." "It's anti-democratic," says Burns, who has worked with the Smithsonian for over 30 years. "And it's symptomatic of the outsourcing of our common wealth."

The Smithsonian-Showtime flap did not escape the eyes of Congress. In May, a House Administration Committee hearing convened, and Small initially provided a heavily expurgated copy of the Showtime contract. (Later, he relented and submitted the full text.) "We apologize," Small said, "for the hullabaloo this has caused Congress." After chastising Small for his lack of transparency, Congress issued its punishment: a $20 million cut from the Smithsonian's federal budget and a Government Accountability Office (GAO) investigation of the affair.

In December 2006, the GAO released its findings, agreeing in part with the protesters: "[F]ilmmakers and other interested parties remain uncertain about what factors the Smithsonian will use in its decision-making process regarding filming requests and in general about the impact of the contract." Small's defense of the deal, the report concludes, "was unreliable because it was based on incomplete data and oversimplified criteria." Still, the partnership was allowed to remain in place, with unknown consequences for independent film and Smithsonian staffers alike. "The scholars very passionately feel that, having been given the opportunity to be the custodians of the collections and to develop this expertise ... and communicate it to the public, they should be freely accessible to the public," says James. "This is probably the largest issue: Will it hamper not just access to the collections but access to our expertise as federal employees?"

And, even as controversy swirls around Small's current employer, it has arisen anew at his old one. In 2004, Fannie Mae became embroiled in an accounting scandal that brought about the ouster of two of the secretary's former colleagues. Nonetheless, Small himself remained relatively unscathed until May 2006, when a government report on the fiasco appeared, finding that the former CEO had fostered a corporate culture in which his underlings were running amok of generally accepted accounting rules and misleading investors.

Small has not commented on the Fannie Mae accusations, perhaps because he has his hands full with the seemingly unlimited supply of bad news coming out of the Smithsonian. (Through a spokesperson, he also declined to be interviewed for this piece.) Last year, attendance at the museums declined roughly 5 percent, bucking an overall gain in tourist dollars spent in Washington. And, with the National Museum of American History closed for a two-year face-lift, it's unlikely that 2007 will be better. Oh well. At least Small still has his private collection. ■

What's still wrong with Bush's war on terrorism.

My Gitmo Vacation

BY JEFFREY ROSEN

LAST SPRING, MY brother-in-law, Neal Katyal, represented Salim Hamdan, Osama bin Laden's driver, in his successful Supreme Court challenge to the constitutionality of the original Bush military tribunals. The case was challenging, logistically as well as legally. In order to see their clients at the Guantánamo Bay prison camp, habeas lawyers like Neal have to endure a 30-hour travel ordeal. It involves getting up at 12:30 in the morning; driving to the Norfolk, Virginia, naval base; enduring three hours of military security; boarding a plane at 8 a.m. for Jacksonville, Florida; stopping to refuel for eight hours; flying to a U.S. landing strip in Cuba; and encountering another three-hour wait for a short security briefing with GIs before finally setting off for the naval base by bus and boat.

Neal's trip came to mind a few weeks ago, as I reclined in a leather club chair on a mahogany-paneled Gulfstream C-37 military jet enjoying a fresh fruit plate. I, too, was on my way to the Cuban military prison, but my 14-hour round-trip adventure was shaping up to be a more convivial travel experience. I was traveling not as a habeas lawyer but

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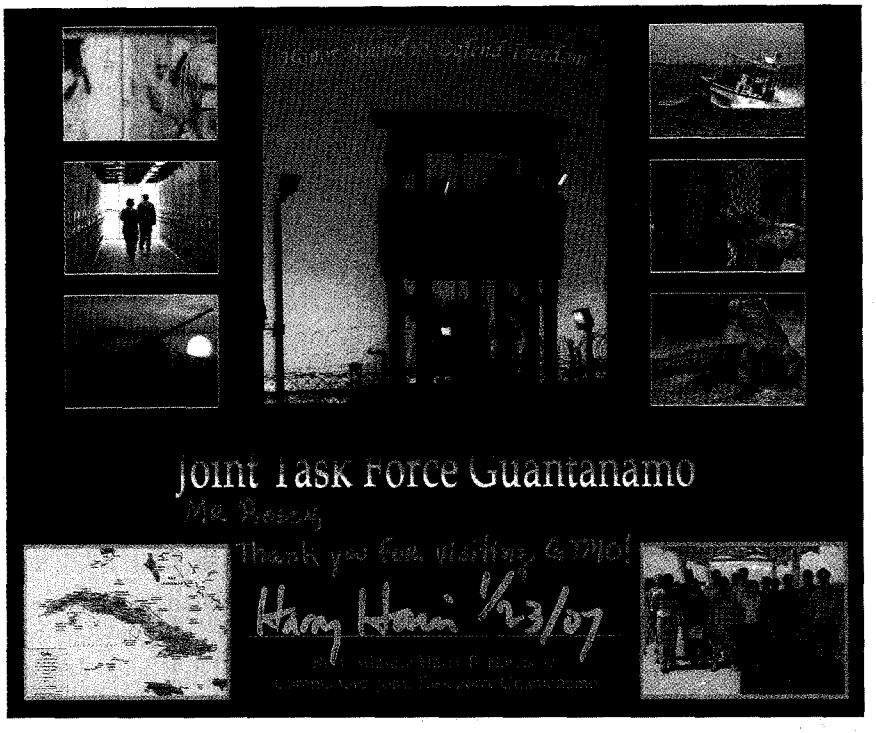
as a guest of the general counsel of the Defense Department, William J. Haynes, who had invited a group of seven law professors, journalists, and Bush administration officials to tour the Guantánamo camp to reassure ourselves that it was no Abu Ghraib.

At six o'clock that morning, we reported to the Pentagon. While a van ferried us through the darkness to Andrews Air Force Base, there was some excited chuckling among the group as we envisioned ourselves as the seven castaways on Gilligan's Island thrown together for a quick flight (a three-hour tour!). The mood grew even more cheery when we stepped out of the van at Andrews and were met by a dazzling red sunrise and saluting soldiers. Feeling almost presidential, we strode across the tarmac, up the gangway, and into the Gulfstream C-37 emblazoned with the words UNITED STATES OF AMERICA. We took off moments after boarding, and, as Fox News chattered quietly on a plasma-screen television, a military steward asked for our omelet orders.



The timing of the trip, presumably, was not a coincidence. Four days earlier, Defense Department lawyers had submitted new rules of evidence to Congress for the military commissions that will soon try detainees like Hamdan. Although the new rules contain some improvements over the previous military commission procedures that the Supreme Court struck down in the Hamdan case in June, they restrict the rights of detainees more than Congress required in the Military Commissions Act of 2006. They also fall short of the procedural protections guaranteed by the Uniform Code of Military Justice, which senior military leaders had urged as a model. For example, they allow detainees to be punished (or sentenced to death) for acts that were not illegal when they were committed—which clashes with the spirit, at least, of the constitutional prohibition on ex post facto laws. In short, there were some very good reasons, as I toured Guantánamo, not to let those warm ham and cheese omelets go to my head—reasons that temporarily vanished from my mind as the delicious breakfast was served.

THREE HOURS AFTER taking off from Andrews, we touched down at the U.S. landing strip in Cuba, having flown around the eastern peninsula of the island to avoid Cuban airspace. We were met by the military and legal commanders of the Joint Task Force–Guantánamo Bay, standing in front of a sign with the Joint Task Force's motto: HONOR BOUND TO DEFEND FREEDOM. After a brief bus ride, we filed onto a military ferry for the 20-minute ride across Guantánamo Bay. The cloudless skies and tropical beauty of the Caribbean continued to create a holiday atmosphere, interrupted only, as we pulled up to the base, by the huge desalination plant installed after Fidel Castro cut off the water supply. We were greeted on the dock by Rear Admiral Harry B. Harris Jr., the friendly and dynamic commander of the Joint Task Force, and we filed onto another bus toward the camp. As we drove up a winding hill, we passed a McDonald's, a Subway sandwich chain, a dry cleaner, and other accoutrements of a 1960s suburban mall. Suddenly, however, barbed-wire fences suggested that we had arrived at the prison camp, along with signs declaring NO PHOTOGRAPHY and VALUE OF THE WEEK: INTEGRITY.

Pulling up to an administrative building, we filed upstairs for a briefing about interrogation techniques conducted by the head of interrogations and other legal and military officials. After tucking into an edible box lunch of halal meatloaf and sautéed vegetables—which, we were assured, was the same lunch the detainees were being served—we learned about the prison population. Three hundred and seventy-seven detainees have already been transferred or released, with 395 remaining. Of this group, 85 have been approved for transfer to other countries, and 295 are designated for indefinite detention. One hundred and twenty-five of these remaining detainees are subject to continued interrogations, although only 35 percent of them are cooperative. We were assured that we would see with our own eyes that all interrogations were conducted according to military regulations and were reasonably cordial—no sleep deprivation or other harsh techniques.

I did not, in fact, expect to see a water-boarding demonstration. Before leaving, I had been given a preview of the tour by Colonel Dwight Sullivan, the chief defense counsel at the Office of Military Commissions, whose strong criticisms of the military tribunals have been accepted by the Defense

COURTESY OF JEFFREY ROSEN

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Department as part of his job. "They'll show you the accused in a La-Z-Boy sharing fries with the investigator," Colonel Sullivan predicted. At the beginning of 2005, he recalled, *The New York Times* reported that at least three separate groups of journalists had been shown what the *Times* called the same "tableau of the interrogator and prisoner sharing a McDonald's meal." Even more troubling, however, was Colonel Sullivan's assessment of the Defense Department's new rules for the military commissions regarding torture. Although Congress specifically prohibited evidence obtained through torture, the Bush administration's new rules say that evidence obtained by coercion may be admitted if a judge finds it reliable. "The idea that someone can be convicted and sentenced to death on the basis of an uncorroborated, coerced confession is troubling, squared," Sullivan explained.

Back at Guantánamo, the focus of our tour was less on the detainees' legal rights than on their day-to-day treatment. After leaving the administrative building, we filed back into the bus for the short ride to Camp One. As we walked through various barbed-wire gates, a young Middle Eastern man with a beard and shackles was driven by on a golf cart toward a medical-care facility. We were given a tour of an empty cell block, which consisted of two rows of small prison cells encased in wire mesh and open to each other and to the warm tropical air. (The detainees like it warm, we were told: Coming from the Middle East, they prefer that to the air-conditioned facilities.) Each cell had a Koran, a green exercise mat, and a black arrow pointing toward Mecca: The call to prayer is broadcast over the camp's loudspeakers five times a day. There were also tan jumpsuits for daily wear, as well as the notorious orange jumpsuits for detainees who misbehave (65 percent polyester and 35 percent cotton, made in South Africa for the Bob Barker Company).

Then it was time to visit the most recently constructed prisons, Camps Five and Six. Camp Six, the less secure facility, is modeled on a county jail in Michigan. In the recreation area of Camp Six, we saw a seven-by-three-foot poster of Saddam Hussein being sentenced to death, with a headline in Arabic that lawyers for the detainees later translated as: "Because Saddam chose not to cooperate and not to tell the truth, because he thought by lying he would get released, for that reason he was executed." Our guides said it was part of an effort to display weekly excerpts of international news from Iraq and Afghanistan in camp recreation areas. But, the week after we left, lawyers for David Hicks, an Australian detainee, complained that the poster was a form of "mental torture and intimidation," and it was subsequently removed.

Camp Five, which opened in 2004, is modeled on a maximum-security prison in Indiana and constructed around a Panopticon-like internal observation tower. Detainees with "significant intelligence value" are imprisoned and interrogated here. We were shown the interview room, which included a La-Z-Boy–style recliner, as predicted. There was also a refrigerator, a coffee pot, leg restraints, a panic button, two camera systems, and a television where detainees and interrogators can watch movies together to relax before the interrogation session. (Harry Potter films are said to be especially popular.) Then we were ushered into another room to watch an interrogation broadcast on closed-circuit television. There was the detainee in the recliner, looking calm and well-fed. This time, however, there were no McDonald's fries. "The interrogator just brought in a Subway sandwich from the base," we were told. "They had lunch—you just missed it."

Whether this long-running show is staged or genuine, the McDonald's fries and the Subway sandwiches have nothing to do with the real objection to the Guantánamo interrogations, which isn't that they're abusive but that they produce evidence that may be inaccurate. "Many of these statements, which we expect to come in as hearsay evidence, are investigators' notes, without the declarant or the person who took the statement being present," Sullivan told me. "The investigators are asking questions of someone whose language they don't speak; the individual answers the question in a tongue the investigator doesn't understand; someone translates the response, which is another opportunity for potential error; and, at some point after that, the investigator writes down what the translator told him was the response to the question. It's reminiscent of the old game of telephone: By the time a statement goes through this many steps, it's unlikely to be captured accurately, and to say that's sufficient not only to convict someone but to sentence that person to death is worrisome, to say the least."

The problems with evidence collection are only exacerbated by the administration's new hearsay rules, which say that third-hand accounts can be introduced without an opportunity for the accused to confront their interrogators or their accusers. Congress said that hearsay evidence could be admitted in some circumstances, but Senator Lindsey Graham, a supporter of the Military Commissions Act, emphasized that the general ban on hearsay evidence shouldn't be ignored. The Bush administration, by contrast, has provided that reliable hearsay evidence must be admitted and third-hand translations of unrecorded interviews could form the core of the most important cases against detainees.

From the prisons, we traveled to the courthouses. A large trailer was the setting for the Combatant Status Review Tribunals, established in 2004 in response to the Supreme Court's decision in *Rasul* v. *Bush*, which held that U.S. courts have jurisdiction over the challenges to the legality of the detention of foreign nationals held at Guantánamo Bay. The mission of the review tribunals is to confirm that everyone held at Guantánamo is, in fact, an enemy combatant, defined as "an individual who was part of or supporting Taliban or Al Qaeda forces, or associated forces that are engaged in hostilities against the United States or its coalition partners." Detainees are not represented by lawyers and are given only unclassified evidence against them, although they can call witnesses. In the 558 hearings conducted between July 2004 and January 2005,

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520 of the detainees were confirmed as enemy combatants and 38 were released. Confirmed enemy combatants are then given an annual hearing before an administrative review board to determine whether they should be released, transferred, or indefinitely detained: After 463 review board hearings in 2005, 14 of the detainees were released, 119 were transferred, and 330 remained in detention.

Our last stop was the courthouse where the military tribunals will be held. The first trial of Hamdan began here in 2004, when a federal judge dramatically stopped it in the middle of the proceedings. But, shortly after I returned home, I learned that Hamdan may soon have another trial in this same courtroom. On February 2, military prosecutors sent e-mails to military defense lawyers announcing their intention to try Hamdan and two other detainees, the Australian Hicks and Omar Khadr, a Canadian, before the new military commissions. The courtroom is a large, windowless, damp-smelling room with wall-to-wall carpeting in fluorescent red, a bilious blue curtain behind the bench, and closed-circuit TV cameras broadcasting to reporters outside the courtroom on a five-minute delay so that a security officer can ensure that no classified information is inadvertently revealed. Once the convening judge approves the charges, the speedy trial clock begins to tick: Within 120 days, the accused detainees could be on trial for their lives.

Under the Bush administration's new rules, the detainees' defense lawyers may be restricted in how much help they can offer. The rules allow the prosecution to withhold not only classified evidence but also the sources and methods used to obtain evidence. Sullivan notes that this would make it very difficult for the defense to inquire whether evidence was obtained through torture: "Let's hypothesize that we ask the right questions; if the government answered them in ways that indicated that the interrogations were violating the law, the rules seem to allow the government to say, 'Sorry, those are classified sources and methods, we can't tell you,'" he says. "The rules could be used to prevent the accused from telling the jury the means by which his own confession was taken." Moreover, in 2004, two military prosecutors resigned in part because they thought it was unfair that exculpatory evidence was not turned over to the defense. These new classification rules make the unfairness worse.

As we returned to the bus for the cushy flight home, we were told repeatedly how proud the commanders are of the transparency and fairness that the camp has achieved. "The only torture we do here," an official joked, "is when the Starbucks coffee is cold." Everything we were shown gave the impression of a professionally managed U.S. prison, with competent officials and clean facilities, but it's hard to say whether it was a Potemkin tour, as other journalists have charged. Based on my six-hour, first-class trip, I had no way of evaluating whether or not the images of abuse that lingered from the early days of the now shuttered Camp X-Ray remained accurate. Certainly, there was no evidence of the T-shirts that used to be for sale in the base's gift shop, which showed "Taliban Bowl" detainees in orange jumpsuits being knocked over like pins by the guards' bowling balls. We were told that the chairman of the U.K. Parliament's Foreign Affairs Committee had concluded after a recent inspection that "conditions are actually much better than expected." Having expected worse, I had a similar impression.

But, as I sipped warm chardonnay on the otherwise delightful flight home, I also had the sense that the most pressing objections to Guantánamo, at the moment, may not involve the prison conditions themselves. They involve, instead, the rules of procedure and evidence that are used to decide who is indefinitely detained there in the first place and how they will be put on trial for their lives. Military commissions, especially those created on the fly, are poor vehicles for convicting even the most unequivocally guilty defendants. The tribunals may provide a platform for yet another series of international embarrassments, just like the trial and execution of Saddam Hussein. And, given the administration's new rules, the imminent trials at Guantánamo are likely to be received skeptically, at home and abroad, regardless of the good faith of the military prosecutors or the transparency of the prison camp.

The Guantánamo tribunals, no doubt, will crawl along for the next two years, with continued litigation challenging any sentences they try to impose. But the next president, whether a Republican or a Democrat, would be well-advised, politically and legally, to abandon the misguided idea that the executive should be the judge and jury as well as the prosecutor. The best way to restore confidence in the Guantánamo detention facility isn't merely the admirable efforts at transparency offered by its commander and legal staff. Instead, we need meaningful review of whether or not the detainees were and continue to be dangerous enemies of the United States.

Instead of one-sided military review boards, Congress might set up a national security court, with defense and prosecution lawyers cleared to handle classified evidence. This would eliminate the incentive for prosecutions to exaggerate the threat posed by individual defendants and for defense lawyers to cry wolf about minor procedural irregularities. Both Republicans and Democrats have expressed interest in a national security court, and it's conceivable that Congress, over the next two years, could find the discipline to create an independent review board along these lines. Whether even an independent court could remove the taint that continues to hang over Guantánamo, fairly or unfairly, remains to be seen.

As we boarded the gangway of the Gulfstream for our flight back to Andrews, each of us was handed an odd souvenir photo montage signed by the commander. Mine included a portrait of our smiling group and photos of an iguana, the guard tower, a guard turning a key in a prison cell, and a detainee. "Mr. Rosen, Thank you for visiting GTMO!" it cheerfully declared. I had a feeling that Neal didn't get one of those, either. ■

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

Reflections of War

IN ONE WAY, SOME HOT NEWS stories are like Broadway shows. When they arrive, they get tremendous attention, which diminishes at different speeds, and then suddenly they disappear. Completely. Other hot news has replaced them. The Broadway shows that have had their day simply evanesce, but the people where the hot news happened are still there. We can't expect the media to center on places or persons after a crisis has passed; but it is healthful to remember that, where that crisis happened, people are still living their lives. They don't evanesce.

GRBAVICA: THE LAND OF MY DREAMS
(Strand)

CLOSE TO HOME
(IFC First Take)

Speak the word "Sarajevo" and any sentient person has an emotional memory of what happened there. But life didn't stop in Sarajevo when the reporters and the camera crews moved on (when the show closed). Battle and bloodshed are, thankfully, no longer on hand, but what is very much there is the life that was affected by the war. GRBAVICA: THE LAND OF MY DREAMS sensitively explores it.

Grbavica is the name of a district in Sarajevo right across from where the writer-director of this film lives. She is Jasmila Zbanic, a young woman who has made shorts and now makes her feature debut with commanding skill. Zbanic focuses on a woman in her forties and her twelve-year-old daughter. The father, we are told, was killed in the war, slaughtered by Chetniks, and is therefore a *shaheed*, a war martyr.

Esma, the mother, is a waitress in a bar-disco (where some pretty wild discoing goes on). Sara, the daughter, is of course in school. They are as affectionate and quarrelsome with each other as loving mothers and daughters usually are. The invisible presence of the father is a factor in their lives. That father helps Sara in a tussle she has with a schoolmate, a boy about her age, on a soccer field. (His father, too, was a *shaheed*.)

A quasi-romance develops between Sara and the boy, more like a touching rendition of how a young male and female learn to behave with each other within a periphery of good feeling. Meanwhile Esma attracts a man who works in her bar, and a mature version of her daughter's romance develops: two people who know from varieties of experience what an affair will mean to them and who want to enjoy each other's company before rushing in. (Sara is naturally jealous of Esma's other interest.) Perceptively, Zbanic concentrates on these stories that would have happened if there had never been a war, thus depicting some persistences in human beings, but she lets both the characters' remembrance of the war and the spectators' remembrance of it serve as backdrop and atmosphere. So these relatively ordinary stories carry with them both a tacit poignancy and a glimmer of hope for the obstinacy of life.

The cinematographer was Christine A. Maier, who helped greatly by putting everything before us in a lucid, matter-of-fact way; no fanciness. Zbanic is, of course, responsible—admirable, rather—for employing dailiness as a medium for depth. And her screenplay ends with a revelation that puts everything we have seen in an even more somber postwar light.

But it is the two leading performances that make the film seem almost to reach down and embrace us. Mirjana Karanovic, who plays Esma, is famous in her own country but is probably known here, if at all, for her role in *When Father Was Away on Business*. She is a reassuringly complete actress. About Luna Mijovic, who is Sara, there is the usual news that the director and others auditioned and tested hundreds of girls for the role until they found Mijovic. This time we can truly be glad that they persisted, because she is a delight. A bit too old to be considered a prodigy child who acts well without any knowledge of film, Mijovic—who is making her debut here—is not misled into imitation because of her previous filmgoing. With Zbanic's help, she cuts straight to the core of what is needed in each scene, with a kind of arriviste freshness that is the result of talent, not naïveté. More of Mijovic, please.

Note. Once again a foreign film is distinct from a domestic product because of the smoking. Incessant here.

An Israeli film called CLOSE TO HOME is odd. Fictional, but with an air of exposé, it deals with a special unit of the army that is composed entirely of women—mostly young—whose assignment is to patrol the streets looking for suspicious persons, asking for identification, and entering a report on a form. The streets that this unit patrols are in Jerusalem. The suspicious persons are Arabs or those who look like Arabs. Since dress is not the difference in most cases, some special ethnic sense is taken for granted by the officer in charge.

The oddity is that these young women, members of an army in a country that either is at war or is tautly prepared for war, behave for the most part as if they were high school girls who had been chosen to be monitors. They show very little sense of danger or responsibility (even though a bomb goes off in the streets during the picture). The young women flagrantly disobey orders about taking breaks, about smoking, even about filling out reports. They quarrel among themselves in catty ways. One of them develops a crush on a young man she meets (at the bombing!), and her partner helps her to pursue the young man.

In short, this squad is an ill-trained, slovenly bunch of soldiers. That such behavior exists, or can exist, in any army is surely commonplace, but that Israeli producers should want to make a film about the matter at this time is puzzling. For a time. Then the thought occurs that this film is an inverse boast. These film-

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makers may be saying that, even in a country so aware of dangers and so keyed up to deal with them, common human flaws exist: that the Israeli army is not a mass of robots but a group of human beings with routine imperfections. Perhaps this argument may be the film's reason for being; still, I wouldn't want to be a Jerusalem resident who depended on this particular unit of women for protection.

The writer-directors Dalia Hager and Vidi Bilu are not, in their own work, members of that unit. Their directing has snap and precision; the flow of their film is just swift enough without hurrying. The two leading actresses, Smadar Sayar and Naama Schendar, are adequate. But competent as all the film-making is, *Close to Home* leaves us with questions—and only some possible answers. ■

Paul Starr

War and Liberalism

Why power is not the enemy of freedom.

WAR IS ALWAYS A risky enterprise for the political party or ideological faction that undertakes it. Like the Vietnam War, the Iraq War has broken the grip on national power of a dominant party that had been confidently reshaping American politics. Democracies want speedy victories, especially if they were promised one; a government that fails in war throws into doubt its whole view of the world. Even a party that leads a nation to victory in a war with overwhelming support may be punished at the polls afterward. Think of the defeat of Winston Churchill's Conservatives in 1945 and the reverses suffered by the Democrats after both world wars.

Since Vietnam, though, war has spelled particular trouble for liberals. Torn between competing values, liberals and the Democratic Party have been prone to divisions between hawks and doves and to ambivalence and uncertainty among their cross-pressured leaders. Liberals are dogged by charges from the right that they are unserious about national security; but they also worry that war endangers everything that they value and all that they want to accomplish domestically. The first argument claims that liberalism is unprepared to fight wars, while the second suggests that liberalism unravels in wartime. Either way, it seems, if war looms, liberalism loses.

It is not just about contemporary liberalism that such arguments have been made. The idea that constitutional government and liberal democracy are unsuited to the rigors of war has a long genealogy, and for a time the historical evidence was at least ambiguous. Classical liberalism had its heyday in the mid-1800s, when the conditions of world politics were relatively benign. Well into the twentieth century it seemed reasonable to suppose that, like a plant that grows only in bright sunshine, liberalism flourishes only in peace. Reflecting on his party's decline after World War I, David Lloyd George, Britain's last Liberal prime minister, wrote in his memoirs that "war has always been fatal to Liberalism."

Lloyd George may have been rationalizing his own failures as a party leader. If wars were generally fatal to liberalism, it could never have survived, given the frequency of war throughout modern history. If liberal governments under liberal leadership were incapable of seeing war through to a successful conclusion, the great struggles of the twentieth century against totalitarianism would have ended in catastrophe, and today we would live in a different world. Liberalism has turned out to be stronger and more effective in war than its adversaries have expected, and it has proved to be more resilient under the pressures of war than liberals themselves have feared. History does not prove that contemporary liberalism will have the same strength and the same resilience, and it certainly does not suggest that liberals should welcome war; but at a time when a conservative government has failed in war and thrown into doubt its whole view of the world, liberals would do well to remember a tradition that rightfully belongs to them and shows why they can do better in matters of both war and peace.

"STATES MAKE WAR, AND WAR makes states," the sociologist Charles Tilly observed. But if war is so decisive in the making of states, why the growing dominance and proliferation of liberal democracies during the past two centuries? Why not states thoroughly devoted to martial values? And why weren't liberal societies transformed into the "garrison states" that many in the mid–twentieth century feared they would become in the age of total war?

At the root of such questions is a misapprehension that liberalism is a source of state weakness because it is centrally concerned with individual liberty. The core principles of liberalism, however, provide not only a theory of freedom, equality, and the public good, but also a discipline of power—the means of creating power as well as controlling it. This discipline has been a singular achievement of constitutional liberalism, dating from late seventeenth- and eighteenth-century England and America, and of modern democratic liberalism as it has evolved since roughly the late nineteenth century.

Liberal constitutions impose constraints on the power of any single public official or branch of government as well as the state as a whole. The constraints protect citizens from tyranny, but that is not all they do. They also serve to protect the state itself from capricious, impulsive, or overreaching decisions. By binding those in power, making their behavior more predictable and reliable, and thereby increasing the trust and the confidence of citizens, creditors, and investors, constitutionalism amplifies the long-term power and wealth of a state. Constitutional liberalism imposes a further discipline by dividing power within the state and between state and society, and requiring public disclosure and discussion of state decisions—all of these serving as limits on the ability of officials to pursue their own private interests and enabling the citizens to control their government. Liberalism wagers that a state so constructed can be strong but constrained—strong

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because constrained.

Modern democratic liberalism extends the same logic, both constraining and enlarging the state's power. To make the government accountable to the entire public is a way of both limiting the power of officials and strengthening public responsibility and patriotism. Rights to education and other requirements for human development and security aim to advance equal opportunity and personal dignity and to promote a more creative and productive society. To guarantee those rights, liberals have supported a wider social and economic role for the state, counterbalanced by more robust guarantees of civil liberties and a wider social system of checks and balances anchored in an independent press and pluralistic civil society.

WARS HAVE HISTORICALLY fostered the expansion of state capacities, but without necessarily destroying constitutional government. The immediate effects in well-established liberal democracies have run in seemingly contrary directions. Wars have tended to make societies less liberal but more democratic—that is, they have undermined civil liberties while leading to expanded political rights. Once wars have ended, however, their illiberal effects have typically been reversed, but the democratizing and state-building effects have remained. In short, war has been a catalyst in the transformation of the liberal state, contributing to the features now associated with modern democratic liberalism.

The examples of war's immediate illiberal effects are well known: governmental suspensions of habeas corpus, infringements of free speech, public hysteria against dissenters and suspect minorities. The democratizing effects of war have an equally impressive lineage. In seventeenth- and eighteenth-century England, the need to raise armies and obtain new revenue led kings to concede authority to Parliament; in nineteenth- and twentieth-century America and Europe, the demands of large-scale warfare similarly led governments to concede new rights of citizenship as a way of generating popular loyalty and rewarding sacrifice. In the United States, the expansion of voting rights to African Americans after the Civil War, to women after World War I, and to eighteen-year-olds during the Vietnam War exemplified the pattern. In Europe, too, war led to expanded rights of citizenship, including social as well as political rights.

These domestic political effects are not inherent in war as such, but seem to depend on the form of warfare and the level of mobilization, especially the "military participation ratio" (the proportion of the population under arms). The higher the ratio, the sociologist Stanislav Andreski has argued, the more likely war will have a socially leveling impact. Governments in need of popular enlistment and mobilization are especially likely to expand citizenship rights as a means of securing loyalty and commitment. Mutual dependence and personal sacrifice in wartime may also promote social solidarity, especially a sense of obligation to soldiers—hence the repeated enlargements of the franchise during and immediately after wars.

The scale of mobilization in total war may therefore have helped to preserve and to extend democracy. Indeed, it seems scarcely surprising that wars requiring mass conscription and popular participation would break down social hierarchies. The puzzle, rather, is why individual liberty and limits on state power survived the age of total war at all. What is even more surprising is that on the whole, despite bouts of collective anxiety and repression, the liberal democracies grew more liberal as well as more democratic over the course of the twentieth century. Instead of collapsing in the face of crisis, the institutions and ideas of constitutional liberalism shaped and limited policies to meet the challenges of war as well as economic depression. And just when they mattered most, those choices proved successful, reinforcing the commitment to liberal democracy and validating confidence in its principles as a basis of security as well as justice.

THE EXPLANATION FOR THE deepening of liberalism also lies in the particular adversaries and challenges that liberal states faced in the twentieth century. Fascism and communism posed threats to liberal democracy that were simultaneously ideological and strategic. In opposing and fighting totalitarian regimes, the liberal democracies appealed for international as well as domestic support on the basis of ideals of freedom and equality, and in the process were forced to confront such contradictions as racial injustice at home and their own role as colonial powers. The global struggle for dominance in the twentieth century ended not only with the defeat of the Nazis and Soviets, but also with the discrediting and repudiation of anti-Semitism, racism, colonialism, and other ideologies denying human equality that had long enjoyed respectability in Europe and America.

The domestic side effects of wars, hot and cold, would not have mattered if during the past two centuries authoritarian and militaristic regimes were able to mobilize greater power and defeat liberal democracies. But this has not been the historical record. Since 1816, democracies have won three-fourths of the wars in which they have been involved, according to Dan Reiter and Allan C. Stam in *Democracies at War*, the most authoritative study of the subject.

Reiter and Stam's analysis points to two sets of factors that have been critical in enabling democracies to be more successful militarily than autocratic states have been. The first has to do with the decision to go to war. Democracies are far less likely to initiate wars that they end up losing. That is not because democracies are inherently pacific; they often do initiate wars (though during the past two centuries democracies have rarely attacked each other). When democracies have attacked first, they have won 93 percent of the wars, whereas dictatorships that have struck first have lost four out of ten times. (When attacked, democracies have also been more successful, prevailing in 63 percent of the cases, compared with just 34 percent for dictatorships.)

USING HISTORICAL CASES TO back up their analysis, Reiter and Stam suggest that democratic leaders typically refuse to launch a war unless they are virtually certain of victory, because they know that if their nation loses they will surely be driven from office, whereas dictators are more willing to gamble when the odds of victory are lower because they often survive in power even after defeats in war. Moreover, because autocratic regimes make decisions in secret and refuse to tolerate criticism by a free press and opposition parties, dictatorships are more likely than democracies to miscalculate the odds of victory, wax overconfident, and start a war in which they are overmatched. The greater military success of democracies exemplifies how the liberal discipline of power works and why, as Stephen Holmes puts it, consti-

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tutionally limited power can be more powerful than unlimited power.

The second set of factors has to do with how well states fight once wars have begun. Here Reiter and Stam look at the outcomes of individual battles during the past two centuries, using a database originally created by military historians for other purposes. The key factors in democracies' war-fighting advantage appear to have been greater initiative among the soldiers of democratic armies than among soldiers of autocratic regimes (which Reiter and Stam attribute to differences in political culture) and better military leadership (which they attribute in part to the greater ability of democracies to make merit rather than political loyalty the basis of military promotion). They also cite historical cases in support of the proposition that dictators' armies are quicker to surrender (which may be due to the higher standards of treatment that democracies, at least in the past, have been known to extend to enemy prisoners).

One difficulty with Reiter and Stam's quantitative analysis of wars is that it treats all pairs of warring countries equally. The conflict between Honduras and El Salvador in the Football War of 1969 weighs as much in the statistical results as the conflict between Germany and the United States during World War II. Yet if the latter had turned out to be among the one-fourth of wars lost by democracies, the entire world would now be different. According to Reiter and Stam's analysis, military support from other countries is not a significant factor in explaining why democracies are more likely than dictatorships to win wars that their adversaries have initiated. But even if that is a valid generalization when counting all wars the same, the contrary cases of the two world wars simply matter more to the overall outcome of global politics.

TOTAL WAR COULD HAVE GIVEN totalitarianism an edge. Lacking accountability to voters, internal checks and balances, a free press, and independent power centers in civil society, the fascist and communist regimes had a relatively free hand in conscripting, taxing, and otherwise extracting resources from their societies and therefore seemed to hold advantages in the sheer force they could generate. But by virtue of their political structure, the totalitarian states also suppressed initiative, lagged in critical technological innovations, and lacked means of self-correction. These deficiencies had fateful consequences.

As it turned out, the modern forms of despotism were not a winning national strategy in the twentieth century. As before, governments with constitutionally limited powers proved to be more powerful than governments with unlimited powers. Moreover, by the end of World War II, the liberal democracies had learned that it was imperative for them to build international alliances and institutions to have any chance of stopping aggressive wars and maintaining peace and security. As the power of modern liberal states is based on a democratic partnership at home, so the liberal democracies have come to pursue power through partnership internationally.

The danger of states making war and war making states is a spiral of force, ending in a thoroughly militarized world. But because liberal democracy and liberal internationalism proved an effective strategy for creating power and prevailing in conflict, a different self-reinforcing cycle set in, at least for a time. Liberal democracies fought and won wars, which led to further democratization, which helped to protect individual liberties once the war emergencies ended.

Unfortunately, there is nothing inevitable about this cycle. There is no guarantee that war will continue to lead to democratization, or that democracies will be able to reverse the immediate illiberal consequences of war. If the positive effects of war on political and social equality depend on a high military participation ratio, the connection may have disappeared, at least in the United States. The kind of technological war that America now wages no longer requires mass enlistment or popular mobilization and consequently seems to generate no pressure to expand rights or benefits. Indeed, the ability to wage war without conscription and with so little call for personal sacrifice from the public may reduce the high threshold for starting wars that has been partly responsible for democracies' military success. And if reversing the illiberal effects of war depends on bringing war to a close, what of a global "war on terror," which it will be impossible ever to say has come to an end? In short, whether liberal democracies can maintain their distinctive qualities in the face of war may depend more than ever on their leadership.

ACCORDING TO THE DOMINANT historical pattern, the Iraq War should never have happened. The governments of democracies, Reiter and Stam tell us, rarely initiate unsuccessful wars, in part because if they fail to win—and win quickly—they are predictably punished by the voters. A government that gets itself into this position has either overestimated the odds of military victory in the first place or known the odds were poor but gambled anyway.

The Bush administration's decision to go to war in Iraq was clearly born of overconfidence. American triumphalism had been building ever since the Soviet collapse; a relatively easy victory in Afghanistan after September 11 seemed to confirm that, as the world's only superpower, the United States was in so dominant a position that it needed only the resolve to exploit it. Conservatives were particularly intoxicated with delusions that America could bend the world to its will. The insularity of the president's inner circle, the pliability of the Republican-controlled Congress, and the docility of the press in the run-up to the war all contributed to the administration's ability to ignore conflicting evidence and opinions, its underestimate of the war's complexities and costs, and its failure to prepare and set in motion a coherent plan for the occupation.

Overconfidence in American military power was also crucial to the administration's disregard for sources of long-term democratic advantage in international conflict. Openly dismissive of "old Europe" and international opinion, Donald Rumsfeld and others made it more difficult not just for this administration, but also for future ones to win moral and legal support abroad for American policy. And by repudiating international standards in the treatment of prisoners and approving torture either directly or through rendition to other countries, the administration surrendered another significant asset of democratic countries in defeating their adversaries. The war itself has degraded America's hard assets as well as its soft ones, and weakened its deterrent power.

Just as autocratic regimes are more likely to make mistakes because they make decisions in secret without checks and balances, so the Bush administration's resistance to transparency and its claims of unilateral executive power have been a threat to a vital source of

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America's power as well as its liberties. The president's decisions to authorize secret surveillance programs, to hold prisoners without trial, and to resist any role by Congress and the judiciary in national security matters all need to be understood in this light. The case against unaccountable executive power is not simply that it violates the Constitution, but also that unchecked power of any kind is more likely to result in catastrophic blunders, and to undermine the purposes it is supposed to serve.

Though accused of being unpatriotic, the critics who were skeptical of the president's claims about Iraq were, in fact, following the logic of prudence that has historically contributed to democracies' success in war and avoidance of long and costly military disasters. In opposing administration policies that violate the separation of powers, norms of governmental transparency, and international conventions regarding prisoners, liberals are not merely insisting on legal niceties. These rules serve our long-term interests. A recent article in *The Weekly Standard* refers to Republicans as the "power party" and to Democrats as the "peace party" in American politics today. That may be the way it looks from the right. But after squandering and degrading America's power, conservatives have no claim to be its special guardians.

There is a different way of thinking about power from the one that conservatives in the Bush era have championed, and that way of thinking grows out of the liberal tradition and historical experience. The crucial historical lesson is not that liberal principles and public debate must give way in war for the sake of national defense: constitutionally limited power has proved to be more powerful than unlimited power. Democratic partnerships at home and abroad are critical to the nation's strength. America has risen to its current position partly on the basis of these ideas, and staying true to them would be a victory in itself. ■

James Wood

All Rainbow, No Gravity

AGAINST THE DAY
By Thomas Pynchon
(Penguin Press, 1,085 pp., $35)

BROADLY SPEAKING, THERE are two great currents in the novel: one flows from Richardson and the other from Fielding. Richardson's minute epistolary method slows the novelistic examination of motive and desire to an agonizing lento, in which the individual perspective is everything. Plot expands and expires in *Clarissa*: there is a central, driving question—will Clarissa succumb?—and hardly a subplot of note in 1,300 pages. The labyrinthine belongs not to plot, but goes inward, into the human soul, and is inscribed in the advances and retreats, the feints and parries, the accommodations and resolutions, of the two central characters, Lovelace and Clarissa Harlowe. Richardson's influence on European romanticism was massive: on Diderot, on Pushkin, on Stendhal, on Proust. There is a kind of seriousness about human activity, and especially about the psychological and moral analysis of pride and abasement, that one sees in books such as *Rameau's Nephew* and *Notes From Underground* and even in *The Portrait of a Lady*, which at least in part derives from Richardson.

As Richardson describes people from inside, so Fielding is the great externalizer. Fielding belongs to the theater. His characters vibrate vividly on the novelistic stage, are seen from the outside, and reveal themselves only in speech. His novels are manic factories of plot: foundlings, lost heirs, faked letters, complex family inheritances. There is a nice, relaxed approach to accumulation; new characters can come aboard and disembark whenever they like. But these characters are relatively simple: doctors always talk like pedantic doctors, lawyers like Jesuitical lawyers, parsons like parsons, and so on. Goodies and baddies are clearly delineated. Even a wonderful comic creation such as Parson Adams, in *Joseph Andrews*, proceeds from one central "Cervantick" trait. He is an innocent abroad, like Don Quixote, and does not know it. Comedy is situational rather than characterological; it tells us less about the particular character than about general comic truths.

And, as in Cervantes, although much violence is done to the body, the essential rule of the weightless cartoon applies, in that no one can really be in danger. Thus the rapid, farce-like, overlit simplicity of the happenings in Fielding—people getting into the wrong beds, hurling chamberpots of piss at each other, attacking the wrong people with cudgels and nearly beating them to death. No one is actually in danger of being beaten to death. It is a safe world, because a simple one. Controlling all this crazy busyness is an affable, attractive narrator, who is apt to interrupt the story with comic asides (such as a chapter that is titled "Which some Readers will think too short, and others too long"). Fielding, unlike Richardson, had little impact on the European novel, but he defined a strain of theatricality, and a kind of intricate plotting, which would enormously influence the English novel. You can detect him in Thackeray, Dickens, Meredith, Kingsley Amis.

THIS IS DOUBTLESS A ROUGH division, but it has some application to the contemporary postmodern novel. Commentators like to go on about Thomas Pynchon's daunting modernity—the indexical learning, the fierce assays and essays in thermodynamics and polymers and mathematics, the brilliant parodies and pastiches of different novel genres—but fewer point out that in some ways he is a very old-fashioned novelist, one whom Fielding (and Cervantes, for that matter) would instantly recognize. *Mason & Dixon*, written in a flawless pastiche of eighteenth-century prose, was not eccentric, but the logical fruit of Pynchon's aesthetic interests: a busy eighteenth-century novel—itself already, in some ways, a "postmodern" artifact, because a self-conscious one—self-consciously rewritten by a twentieth-century postmodernist.

There is nothing more eighteenth century than Pynchon's love of picaresque plot-accumulation, his mockery of pedantry which is at the same time a love of pedantry, his habit of making his flat characters dance for a moment on stage and then whisking them away, his vaudevillian fondness for silly names, japes, mishaps, disguises, farcical errors,

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and so on. His characters sit down and lengthily, larkily "dispute" ideas with each other as if sitting in roadside taverns and sharing pipes and pots of ale. As Fielding is an ironist, insisting on his own moralism while apparently undermining its grounds, so Pynchon likes to promote meaning and then sack it for getting above itself.

There are huge pleasures to be had from these amiable, peopled canvases, and there are passages of great beauty, but, as in farce, the cost to final seriousness is considerable: everyone is ultimately protected from real menace because no one really exists. The massive turbines of the incessant story-making produce so much noise that no one can be heard. The Nazi Captain Blicero in *Gravity's Rainbow* and the ruthless financier Scarsdale Vibe in *Against the Day* are not truly frightening figures, because they are not true figures. But Gilbert Osmond, Herr Naphta, Peter Verkhovensky, and Conrad's anarchist professor are very frightening indeed.

PYNCHON'S WORKS ARE PRODIgies: they do everything but move us. But they certainly are prodigious. *Against the Day* begins with the Chicago World's Fair of 1893, and is set mainly in the years leading up to the Great War. It moves among Mexico, Colorado, London, Venice, Göttingen, Brussels, Iceland, the Balkans, and the Siberian wastes. It features scores, perhaps hundreds, of characters, each given his or her candy-striped name. Fielding has his Mrs. Slipslop and his Mr. Thwackum and his Reverend Supple, but Pynchon outdoes him or any other pretender to this bizarre onomastic supremacy: Professor Heino Vanderjuice, and Edwarda Beef (with her maid, Vaseline), and two thugs called Deuce Kindred and Sloat Fresno, and two English ponces called Neville and Nigel, and the Reverend Lube Carnal, and Ellmore Disco, and a circus midget called Chinchito, and an Irish anarchist named Wolfe Tone O'Rooney, and a touring Englishwoman named Ruperta Chirpingdon-Groin, and so on. There are eccentric professors, villainous financiers, dreamy mathematicians, captious anarchists, spies, detectives, and floating above the action a merry band of balloonists called the Chums of Chance.

Those Chums are supposed to be the fictional heroes of a series of boys'-own tales (such as *The Chums of Chance in the Bowels of the Earth* or *The Chums of Chance Nearly Crash Into the Kremlin*), a device that allows Pynchon to burlesque the narrative style of early twentieth-century pulp fiction for boys (the kind of thing Frank Richards did in his Billy Bunter and the Famous Five series, or that F.W. Dixon did in the Hardy Boys books), with often amusing results. It is merely one of many pastiches. Pynchon makes use of the British espionage novel of international intrigue (John Buchan, Eric Ambler), the Victorian and Edwardian adventure novel (H. Rider Haggard, Jules Verne), Western dime-store novels (Louis L'Amour), English comic farce (Wodehouse), and many others I am not badly read enough to recognize. The novel swoons in the false gas of the inauthentic; it delights in the copied, the secondhand, the centerless imitation, the flawless fraudulent surface. Like the rest of Pynchon's work, this novel accumulates meaning only to disperse it.

One central storyline concerns Webb Traverse (the surname is borrowed from *Vineland*; Pig Bodine, from *V*, makes an appearance here, too, as one O.I.C. Bodine—oh *I* see). Traverse is a radical Colorado miner who goes around sabotaging mines by blowing them up, assisted by Veikko, a mad Finnish anarchist. This being Pynchon, Webb has an almost mystical devotion to dynamite, and an unbudgeable paranoia. "There is a master list in Washington, D.C.," he announces one day, "of everybody they think is up to no good, maintained by the U.S. Secret Service." Webb is murdered by the stooges Fresno and Kindred, who are funded by Scarsdale Vibe, a villainous plutocrat. Webb's children are all marked by the killing: Reef Traverse travels through the West, determined to avenge the death by killing the killers. He also assumes his father's mantle, continuing the mystical anarchism of detonation: "Each explosion was like the text of another sermon, preached in the voice of the thunder by some faceless but unrelenting desert prophesier who was coming more and more to ride herd on his thoughts." (This is by no means the only passage here that sounds as if Pynchon has been reading Cormac McCarthy—though who knows, he may be parodying him.) Lake,

UNHAPPY ANNIVERSARY

Fifty Years Since Roth v. United States

By Daniel Mark Cohen

As he walked by the edge of the forest outside of the town of Kotzk, Rabbi Menachem-Mendel noticed a group of hunters gorging on a freshly-killed deer. *"I just love deer!"* declared one of the hunters to the rabbi as he passed by.

"That's not love," replied the rabbi. *"If you really loved deer, you would leave them alone in the forest, not eat them . . . What you really love is yourself."*

The National Tragedy of
the Supreme Court's Misjudgment on Obscenity
at on-line bookstores

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Webb's daughter, scandalously marries Kindred; and Kit Traverse, who has one of the largest roles in the book, accepts compensatory payment from Scarsdale Vibe, who funds his education at Yale and his mathematical research at Göttingen.

As wartime London, in *Gravity's Rainbow*, was the hive of buzzing paranoias—"Everyone watching over his shoulder, Free French plotting revenge on Vichy traitors, Lublin Communists drawing beads on Varsovian shadow-ministers, ELAS Greeks stalking royalists, unrepatriable dreamers of all languages hoping through will, fists, prayer to bring back kings, republics, pretenders, summer anarchisms that perished before the first crops were in"—and as the America of the 1760s in *Mason & Dixon* was populated by wild German sects and dour Puritans and mysterious Jesuit networks of surveillance and British agents, so *Against the Day* is a salad of buoyant despair, filled with peculiar groups and clubs devoted to esoteric branches of mathematics, spiritualism, and espionage. The Vectorists (of whom Kit is one) are at war with the Quaternions. In London, Neville and Nigel, the English dandies and drug addicts, hang out with a group who call themselves the T.W.I.T., or True Worshippers of the Ineffable Tectractys: "seekers of certitude, of whom there seemed an ever-increasing supply as the century had rushed to its end and through some unthinkable zero and on out the other side, the T.W.I.T. had chosen to follow a secret neo-Pythagorean way of knowledge, based upon the sacred *Tectractys*." Its "Grand Cohen" is Nicholas Nookshaft, who dresses in "mystical robes appliquéd with astrological and alchemical symbols." One of its members is Yashmeen Halfcourt, a sensual, opaquely Oriental mathematician, who is at Girton College, Cambridge, and who has affairs with Kit and Reef.

As in previous work, especially *Mason & Dixon*, which featured people asking for "half and half" with their coffee and George Washington smoking a joint and someone singing Tammy Wynette's "Stand By Your Man," a good deal of the comedy—and, one assumes, the novel's proposed political import—is generated by cheerful anachronistic slippage. Mention is made of an operetta that is all the rage in Vienna, titled *The Burgher King*, "in which the ruler of a fictional country in Central Europe, feeling disconnected from his people, decides to go out among them disguised as a member of the urban middle class." (That is a pretty good joke.) Jewelry is once referred to as "ice." The Chums are fond of the word "bloviator," though the evidence suggests that the word, which may have originated in the 1860s, had fallen out of use by the end of the nineteenth century. (It was resuscitated in the 1960s, apparently.) When one of the Chums uses the word "nooky" (cited by the *OED* as first used in 1928), Pynchon uses another Chum to comment, jauntily:

> "Another of your vulgarisms, Suckling, with which I must confess myself, no doubt mercifully, unfamiliar."
>
> "An ignorance likely to continue," prophesied Miles Blundell, "until the year 1925 or thereabout."

In one early scene, the Archduke Franz Ferdinand decides to visit Chicago. Lew Basnight, a private detective who will later be hired by T.W.I.T., is asked to assist the Austro-Hungarian security aide, the field chief of "K&K Special Security." Lew and the Austrian get on well: "They got into the habit of early-morning coffee at the Austrian Pavilion, accompanied by a variety of baked goods. 'And *this* might be of particular interest to you, Mr. Basnight, considering the widely known *Kuchenteigs-Verderbtheit* or pastry-depravity of the American detective....' " The Archduke likes to give his minders the slip, and is found, one night, at "a Negro bar down on South State in the Thirties, the heart of the vaudeville and black entertainment district in those days, hollering his way into an evening which promised at least a troublesome moment or two.... 'Squalid!' screamed the Archduke. 'I love it!' "

This little passage is classic Pynchon. There is the knowing reference to "K&K" (the Hapsburg Empire was known as K.u.K., or *Kaiserlich und Königlich*, Imperial and Royal); the jolly anachronism, whereby obvious reference—pastry-depravity—is being made to our contemporary cliché of the Dunkin' Donut–size American cop; there is the cod-pedantic (but actually pedantic, because it is *correct*) German for pastry-depravity," *Kuchenteigs-Verderbtheit* (*Kuchen* is coffee cake, and *Verderbtheit* is depravity); and then there is the Archduke himself, hollering in a Negro bar in Chicago.

Temperament, as much as anything else, determines whether or not you warm to an episode like this, and its rousting schoolboy silliness. If you like it, you will quote Hazlitt and praise Pynchon's irrepressible "gusto." If you whisper coldly that it is strictly meaningless—that its very point is to have no meaning—covens of Pynchon lovers will howl at you as if you are the ghost at the endless Pynchon banquet. But meaningless, qua episode, it is. (Of course, a mosaic of such episodes does make cumulative negative meaning, of a kind, which I think is Pynchon's point.) And much of the novel's comedy proceeds in this way. It is situational rather than characterological; and the comedy is not about people but about culture, or about a comic fantasy of a hypothetical cultural friction—in this case, the Austros meet the Afros. This means that even its high spirits are lively rather than life-giving, because it is always the willed idea of comedy rather than the accidental embodiment of comedy.

Pynchon can make you laugh, and there are some good cracks. I liked the joke about how "Deuce's sidekick, Sloat Fresno, was about twice his size and thought that Deuce was *his* sidekick," and the substance called Smegmo, "an artificial substitute for everything in the edible-fat category, including margarine.... An eminent Rabbi of world hog capital Cincinnati, Ohio, was moved to declare the product kosher, adding that 'the Hebrew people have been waiting four thousand years for this. Smegmo is the Messiah of kitchen fats.' " (Though Pynchon, like the Farrelly brothers, has a perfectly adolescent inability to know when we have had too much of a good thing.) And I quite liked the mayonnaise joke, though it has the feeling of a gag prepared in advance, before the actual narrative cooking has been done: Kit and a glamorous woman named Pléiade Lafrisée meet in a Belgian bistro. We are informed that the whole of Belgium is alive with the *culte de la mayonnaise*. Mayonnaise is everywhere. Cue gag:

> "How much do you know of La Mayonnaise?" she inquired.
>
> He shrugged. "Maybe up to the part

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that goes '*Aux armes, citoyens*'—"

Later that day, Kit visits the central mayonnaise factory for all of Flanders. There is some sort of explosion at the works, and Kit nearly drowns in a tsunami of mayonnaise, finally pushed by the viscous tide through a broken window and "out in a great vomitous arc which dropped him into the canal below." Fielding could not have done it better.

THIS KIND OF LARKING ABOUT—much of it on a level with *American Pie*—is juxtaposed, as it always has been in Pynchon's work, with passages of rhapsodic, densely fine, sometimes beautiful prose. Pynchon's obvious difference from a novelist like Fielding is that he likes to combine the japes and plot maneuvers with a modernist flexing of stylistic muscle, and he has a fine musical ear to accomplish this. Many things can be said against this writer, but no one has ever accused him of lacking talent. (It may be that he has too much.) Consider this passage:

> Planted rows went turning past like giant spokes one by one as they ranged the roads. The skies were interrupted by dark gray storm clouds with a flow like molten stone, swept and liquid, and light that found its way through them was lost in the dark fields but gathered shining along the pale road, so that sometimes all you could see was the road, and the horizon it ran to. Sometimes she was overwhelmed by the green life passing in such high turbulence, too much to see, all clamoring to have its way. Leaves sawtooth, spade-shaped, long and thin, blunt-fingered, downy and veined, oiled and dusty with the day—flowers in bells and clusters, purple and white or yellow as butter, star-shaped ferns in the wet and dark places, millions of green veilings before the bridal secrets in the moss and under the deadfalls, went on by the wheels creaking and struck by rocks in the rust, sparks visible only in what shadow it might pass over.

This is very fine, and reveals once again the influence on Pynchon of Melville, and perhaps, here, of Lawrence, too. (The "green veilings before the bridal secrets" is mildly reminiscent of Melville's famous description of the inside of a whale's mouth, "glossy as bridal satins.") The control of rhythm is almost unerring in Pynchon.

The problem is that, like Don DeLillo, Pynchon has a tendency to use rhapsodic "fine writing" to smudge the coherence of his meaning, to let the music take the strain of the mystical. Here Reef, on the trail of Fresno and Kindred, reflects that the stooges are even worse than the plutocrats:

> If Capital's own books showed a balance in clear favor of damnation, if these plutes were undeniably evil hombres, then how much more so were those who took care of their problems for them, in no matter what ignorance of why, not all of their faces on the wanted bills, in that darkly textured style that was more about the kind of remembering, the unholy longing going on out here, than of any real-life badman likeness...

Again, the musical control is flawless, and the long sentence, slowly read, is perfectly comprehensible. Pynchon is saying that the drawings on the "Wanted" posters never looked like the real men, and that their unlikeness—their "darkly textured style"—tells us more about a "kind of remembering," an idea, or Barthesian "mythology" of the Wild West, than anything else. This accords with the novel's systematic argument against the possibility of finding the authentic: everything is mediated, pastiched, mirrored, seen through glasses darkly, or seen twice. But "the unholy longing going on out here" seems a little idle, a little vague, and it seems more idle and vague precisely because it is piled up like this in a lyrical list—precisely because the music is trying to carry its sense for it, and throws it next to "the kind of remembering." The ellipsis in the above quotation is Pynchon's, and marks a section break; and in a way, the ellipsis is the only place this long sentence has to go—into the empty terminus of broken meaning.

PYNCHON'S TEXTS MOBILIZE what might be called a double mysticism: on the one hand, a fear of total connectedness prevails (paranoia, dystopia), and on the other, a hope for total connectedness makes itself heard (ecstasy, utopia of a kind). It is a negative and positive mysticism, the one half of the binarism producing the other, as air conditioning makes you sweat. It is fair to say, I think, that the intimations of positive connectedness are reserved for the most rhapsodic prose: these are the moments when the novel "dreams" (one of Pynchon's favorite words). These can be touching moments, though often, as in "the unholy longing going on out here," there is a sense of meaning being a little too conveniently pushed beyond the verifiable, or even coherent.

Sometimes, of course, the connections may be both potentially good and potentially bad, depending on who is viewing them. Webb Traverse's wife, Mayva, sees Kit off at the railroad station. "Some stirring now along the line of town trainwatchers, as if they'd caught signals from the invisible distance in that joint waking dream of theirs." Lew Brasnight feels, "in crazier moments," that the railroad network covering the nation is "a living organism, growing by the hour, answering to some invisible command." On the other hand, this network is also felt by Lew to be "redefining the nation into exactly the shape and size of the rail network, wherever it might run to." Another character, a German professor, is described by his English colleague as believing that "the primary geography

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of the planet is the rails, obeying their own necessity, interconnections, places chosen and bypassed." Elsewhere, we hear about how "lateral world-sets, other parts of the creation, lie all around us, each with its crossover points or gates of transfer from one to another"; about how Iceland, to which the Chums travel, "is not *only* the geographical Iceland here, it is one of several convergences among the worlds, found now and then lying behind the apparent." In New Orleans, Reef falls in with a gang of anarchists who are all waiting to get on the next ship, as if there might be some utopian refuge, free of time and even ideology itself:

> Someplace all the Anarchists could escape to, now with the danger so overwhelming, a place readily found even on cheap maps of the World, some group of green volcanic islands, each with its own dialect, too far from the sea-lanes to be of use as a coaling station, lacking nitrate sources, fuel deposits, desirable ores either precious or practical ... a place promised them, not by God, which'd be asking too much of the average Anarchist, but by certain hidden geometries of History, which must include, somewhere, at least at a single point, a safe conjugate to all the spill of accursed meridians, passing daily, desolate, one upon the next.

Pynchon does not necessarily agree with all of the opinions, of course, and some are expressed by crackpots. But his work has been consistently involved with the notion of utopia, of finding—or not finding—"certain hidden geometries of History," of escaping time, of opting out (as Oedipa Maas in *The Crying of Lot 49* dreams of rusticating herself from America and joining the Tristero, one of Pynchon's shadowy organizations); of the subjunctive. In *Mason & Dixon*, Dixon recalls that borders drawn in ink soon become "Fences of Stone." But underneath these ideological lines are the magical ley lines of the non-linear: "Down Below, where no property Lines existed, lay a World as yet untravers'd." Pynchon, one feels, has more than a little in common with the Rousseau who famously announced, in the Second Discourse, that civil society began when a man drew a circle around his property and announced it his.

One feels that much of the praise that this book has enjoyed is really backdated political support for Pynchon. It is interesting that hardly one of the "good" reviews that *Against the Day* has received offered any convincing account of *pleasure* on the part of the reviewer. Themes and patterns and old obsessions were ticked off, and applauded for their presence, but it was never clear how any of this might deeply move or instruct or enchant or sustain. Pynchon is easy to like politically, because he is earnest about the unverifiable (utopia, "hidden geometries of History") and comically skeptical of the blatant and potentially oppressive (Truth, frontiers, Time, "accursed meridians"). One wonders how many of his "fans" might dwindle away were his genial, nicely hippie-ish view of anarchists closer to the gloomy conservatism of Joseph Conrad.

So Pynchon is easy to like politically; but this book's will-to-nullification is deeply frustrating. First of all, the farcical mode of the novel makes coherence and the making of serious distinctions profoundly difficult (deliberately, I think). The comic principle throughout is vaudeville—the circus, the carnival, the musical. Characters drop everything to break into silly songs whenever they can. Professor Vanderjuice, for instance, recommends that Kit continue his research at Göttingen, then produces "as from empty space a ukulele of some dark exotic wood trimmed with tortoiseshell and, after strumming a peppy eight-bar intro, sang":

> That Göttingen Rag
>
> Get in-to, your trav'ling coat,
> Leave Girl-y, a good-bye note,
> Then hop-on, the very-next boat,
> To Ger—manee—
> Those craz-y, pro-fessors there,
> They don't ev-er cut their hair,
> But do they, have brains to spare—
> You wait and see!

The rhetorical unit of this carnivalesque fun is the manic, hyped-up list—the disease known in my household as John Leonarditis. Each place on Pynchon's far-flung map resembles the other, because each is a circus. This is Greenwich Village:

> It was Saturday night in Kipperville. Bearded youths ran by, chasing girls in Turkey red print dresses. Jugglers on unicycles performed tricks along the sidewalk. Negroes accosted strollers, exhibiting small vials of white powder and hopefully enquiring faces. Street vendors sold corn on the cob and broiled squabs on toast.

But here, three hundred pages later, is London, sounding remarkably similar:

> Up and down the street, buskers pranced and spun before the theatre queues—conjurors produced small animals from nowhere, tumbling routines featured skull-and-pavement clearances running typically in the millimeter range, while just in front of the Duke of Cumberland's Theatre a ukulele quartet were playing and singing a medley of tunes from *Waltzing in Whitechapel*, including one intended to be sung Gilbert and Sullivan style by a chorus of constables to a matching number of streetwalkers.

And here, another three hundred pages later, is a Provençal town, favored by anarchists and "hasheesh devotees":

> Dozens of small groups had set up camp, like bathers at the seaside, with coffee messes, cooking fires, bedrolls, flowers in flowerpots, awnings and tents.... A choir was practicing a sort of counter-Te Deum, more *desperamus* than *laudamus*, bringing news of coming dark and cold.

The template for all this is laid out at the beginning of the novel, and its description of the anarchic, inauthentic circus that is the "alternative" World's Fair:

> Armed "bouncers," drawn from the ranks of the Chicago police, patrolled the shadows restlessly. A Zulu theatrical company re-enacted the massacre of British troops at Isandhlwana. Pygmies sang Christian hymns in the Pygmy dialect, Jewish klezmer ensembles filled the night with unearthly clarionet solos, Brazilian Indians allowed themselves to be swallowed by giant anacondas, only to climb out again, undigested and apparently with no discomfort to the snake. Indian swamis levitated, Chinese boxers feinted, kicked, and threw

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one another to and fro.

This is not the "official" World's Fair, but a kind of Saturnalian, hypothetical version going on at the edges, at the "unmapped periphery" of the event—a kind of Chicago Fringe Festival. That is why the police are keeping watch: after all, we are in Pynchonville.

The list is a stylistic amphetamine; it speeds up verisimilitude, makes it frantic. It is Janus-faced: on the one hand, it insists that one pay attention to its sleepless abundance; on the other, its very length tacitly acknowledges that distinctions are less important than the overall effect of abundance, and thus that one will not really pay notice at all. It is a defense against the loss of readerly attention. What all this means, in practice, is that *Against the Day* is a massive novel that never feels spacious, because it so rarely slows down to describe anything properly, never indulges in that rallentando of respect whereby each note is awarded its imperishable thisness. Instead, the descriptive keyboard is manically swiped, up and down, up and down, from top to bottom, as if some genius child were proving to us that yes, he *can* play the piano.

ONE OF THE PROBLEMS WITH hysterical realism, of which this novel is a kind of zany Baedeker, is that one suffers both the hysteria *and* the realism: the worst of both worlds. There is the weightless excess, the incredibilities, the boredom that always attends upon cartoonish, inauthentic novelistic activity. But there is also the boredom attendant upon the rather old-fashioned, straightforward realism used to create this very escape from realism. Thus one of the most peculiar elements of this clearly ambitious and daring novel is that its stylistic syntax is relatively undaring, and so conventional. Of course much of it is pastiche, so in a sense it slips out of the charge of conventionality. But the practical effect is a grammar of realism that challenges nobody and nothing.

On the jacket of the novel, a summary, apparently by Pynchon himself, promises the following: "Meanwhile, Thomas Pynchon is up to his usual business. Characters stop what they're doing to sing what are for the most part stupid songs. Strange and weird sexual practices take place. Obscure languages are spoken, not always idiomatically. Contrary-to-fact occurrences occur." This nicely parodies both kinds of potential response, the breathless adulation of the novel and the gloomy opprobrium. But in fact, although there are plenty of "contrary-to-fact occurrences," what is striking is how much there is that is not at all contrary to fact. This may be a vast mosaic of parodies, and it may delight in anachronism, but like any conventional historical novel it builds its verisimilitude with an enormous amount of period detail. Characters are given their proper sociological bearings. When Pynchon tells you, on page 896, that Vaughan Williams's *Fantasia on a Theme by Thomas Tallis* was given its first performance at Gloucester Cathedral, at a Three Choirs Festival, you know he has done his research, he knows his stuff. This is not at all counterfactual. At the level of style, despite the deliberate aura of the inauthentic, the governing narrative mode is a smooth, fast, fairly undemanding comic realism, which keeps the many stories ticking over nicely. There may be many tricks involving "stupid songs" and time travel and hidden cities under the desert and exploding mayonnaise, but there are no deep tricks involving the question of how to *represent* those songs and mad happenings. Mimesis is under little pressure in this book. (Fictional speech, for instance, occurs within traditional quotation marks, flagged with "he said" or "she said.")

In other words, as in science fiction, which may be the best way to describe this book, an avant-gardism of content pertains, but not an avant-gardism of form. The result is that a conventional code of narrative is utilized in order to deliver the unreal. For instance, Yashmeen travels down from Cambridge to London with a group of girlfriends. They take what sounds like an early twentieth-century version of the London Eye, a vast Ferris wheel with enclosed capsules. The girls' capsule is full of London proles, "British holidaygoers, all busily eating sausage rolls, whelks, and pork pies by the hamperful . . . 'Care for a nice bit of jellied eel?' one of the funseekers now wobbling a portion of the open-air snack favorite quite close to Neoellyn's face." Of course, this is a pastiche of a certain kind of snobbish, jolly-hockey-sticks girls' book, of the kind that Enid Blyton churned out. We can tell this, thanks to phrases such as "by the hamperful." Yet the fact remains that, despite the japes, we are left with a portrait of London that simply reproduces the cliché. New Orleans is the same:

> Voodoo? Voodoo was the least of it, Voodoo was just everywhere. Invisible sentinels were sure to let you know, the thickest of necks being susceptible here to monitory pricklings of the Invisible. The Forbidden. And meantime the smells of the local cuisine, cheurice sausages, gumbo, crawfish étouffé, and shrimp boiled in sassafras, proceeding from noplace you could ever see, went on scrambling what was left of your good sense. Negroes could be observed at every hand, rollicking in the street.

Again, this is not to be taken seriously. No more, perhaps, than the description of Greenwich Village in which "Negroes accosted strollers, exhibiting small vials of white powder and hopefully enquiring faces." Obviously, Pynchon is not a racist idiot. He is telling us that the real New Orleans is not accessible to novelistic enquiry; behind his false surfaces are only more false surfaces, the ones that we create. But there again, the fact remains that the New Orleans of *Against the Day*, the New Orleans set down on the page, is a city of grinning Negroes and gumbo. Either it is offensive if he means it, or it is slightly differently offensive if he doesn't mean it, because he has still committed it to paper. This novel systematically denies the reader any purchase, any Archime-

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dean position, and that is its anarchism of method: not *Against the Day* so much as *Against Method*. But 1,100 pages of antic surface is an awfully expensive way to pay for these pretty obvious splashings in skepticism.

IN AN OTHERWISE INTELLIGENT review of *Against the Day* in the *Los Angeles Times*, Christopher Sorrentino argues that those who dislike this novel are people whose ideal novel is "lean, well-plotted, linear and related from a single point of view." There may well be such mythical beasts around, grunting for their daily grub of realism. But what if you wanted a novel that had little plot but much internal story, that was morally and aesthetically complex, stylistically difficult and demanding, determined to put language to some kind of challenge, formally lovely and alluring, humanly serious but also humanly comic (I mean a book that comically investigated deep human motive)? A novel that was narrated in the internal voices of several different characters, but characters who really have their own voices, not just vaudeville ventriloquism? Well, then, you might read the great novels that are set in the same era as *Against the Day*: these include *The Man Without Qualities*, *Remembrance of Things Past*, *The Radetzky March*, *The Secret Agent*, *Confessions of Zeno* (which ends with a prophesy of something very like atomic destruction), *The Magic Mountain* (which ends with the Great War), *The Good Soldier Svejk*. Many of these are quite funny—but not farcical—novels, above all profoundly involved with the exploding of truths, then finally devoted to the search for truth.

Naturally, a search for truth implies a wariness about the definition of truth. But it is hard not to feel that Pynchon is postmodernistically consumed by the latter, while he merely snacks at the former. Another reviewer, this time in London, gives a generally positive—again, joyless!—review of the book before complaining that, after all, the whole thing is too much: "*Against the Day* resembles *Moby-Dick* in its vast scale, its displays of learning, its engaging larkiness. But it's a *Moby-Dick* with no Ahab, and no whale." But wouldn't *Moby-Dick* without Ahab and the whale be a *Moby-Dick* without anything at stake? Wouldn't that be a book for children? ■

David A. Bell

Veil of Tears

WHY THE FRENCH DON'T LIKE HEADSCARVES: ISLAM, THE STATE, AND PUBLIC SPACE
By John R. Bowen
(Princeton University Press, 290 pp., $27.95)

WHAT DO WE CALL the following French person? She is born in France, and a citizen, but many of her compatriots treat her as an alien, threatening presence. She is easily recognizable, above all by her distinctive head covering, which proclaims her religious allegiance. No one questions her right to wear this garment at home or in her neighborhood's streets, but many of the French have a different opinion when it comes to official "public spaces"—above all, public schools. For many fervent defenders of the secular Republic, letting her into the schools would pose a threat to the Republic's very existence.

So what do we call this person? Until quite recently, we would have called her a nun. After all, hostility between the Catholic Church and the secular Republic marks broad swaths of French history. But of course it is not nuns who have been targeted by the recent law banning "ostentatious signs of religion" from French public schools, which John R. Bowen has put at the center of his lucid and thought-provoking book. The controversial French women at issue are headscarf-wearing Muslim schoolgirls.

The controversy around them continues to simmer in France, while also spilling across European borders. The Netherlands is considering an even broader ban, while Jack Straw, the leader of Britain's House of Commons, recently attacked the wearing of veils as a "visible statement of separation and of difference," and requested that women remove them when visiting him. This is one of the strangest, and most philosophically rattling, controversies in recent European memory, and in order to comprehend it we have to start with France, and consider the things that the odd shift from nuns to schoolgirls tells us about the relationship between religion and society there. I have in mind three things in particular.

THE FIRST IS THE UTTER CENTRALITY of conflicts with organized religion to the identity of the French Republic, dating back to the French Revolution. During the critical years of the Third Republic (1871–1940), Republican officials fought their greatest battles to establish an entirely secular public sphere, while Catholic opponents disputed the regime's very legitimacy. The Republicans won, banning Catholicism from the public schools and ending the church's official relationship to the French state. Today the legacy of this struggle literally soars above the Paris skyline. On the heights of Montmartre looms the great white bulk of the Basilica of Sacré-Coeur, which the church built to expiate the sins of the anti-clerical Paris Commune of 1870, while across the Seine stands the structure that the Republic built in part as a response, the Eiffel Tower. Today, of course, the advocates of assertive public secularism, or *laïcité*, do not trouble themselves much with Rome. They have found plenty to worry about in the direction of Mecca.

Second, there is the fact that in the French Republican imagination, when it comes to religion, women hold a critical and distinct place. As early as 1845, the great Republican historian Jules Michelet famously wrote that "our wives, our daughters, are raised and ruled *by our enemies*"—that is, by priests. He and many Republicans fretted that women—those superstitious and ignorant creatures—would be lured into fanaticism by the black arts of the priesthood, and then draw their menfolk in after them. Today, advocates of *laïcité* again focus on females, ostensibly because they consider Islamic women and girls particularly vulnerable to forced religious conformity (not an unfounded view). At the same time, though, just as nuns featured with remarkable frequency in early French

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pornography, so the current controversy also has an undeniable sexual undertone. A garment designed to desexualize the wearer instead turns her into a forbidden, exotic object of desire. (The role of veils in Western fantasies about "the Orient" scarcely needs mentioning.)

And third, we need to remember just how sudden and jarring the shift from nuns to Muslim schoolgirls has been. As recently as the 1950s, despite the victories of the Republic, France remained in many ways a conventionally observant Catholic country. Then the 1960s and 1970s brought a vertiginous decline in observance. Today, according to an amazing recent survey, only 51 percent of the French population identify themselves as Catholic, and only half of those Catholics believe in God. The implications for French society have been significant. Consider that the current Socialist candidate for president, Ségolène Royal, has had four children out of wedlock, and this fact seems to matter not at all to the non-observant electorate.

THOSE SAME DECADES, THE 1960s and 1970s, also saw massive Muslim immigration into France, principally from former French colonies in North Africa. Yet for a long time French observers paid little attention to the religious consequences of this new wave of immigration. (Earlier immigrants were predominantly Catholic.) They considered the newcomers "guest workers," and assumed that they would eventually return to their countries of origin, even as the supposed "guests" were bringing over families and raising French-born children. Decolonization, and particularly the brutal shock of Algerian independence, had left the widespread impression that France's engagement with Islam belonged to its lost imperial past; it took time to register that France might also have an Islamic future. Only toward the end of the 1980s, Bowen notes, did the presence of the large, growing Islamic population on French soil become a matter of widespread concern—and quickly enough, of panic.

How many Muslims live in France today? We cannot say with precision, because the French state, true to its secularist principles, refuses to gather such statistics. Bowen, drawing on the best recent estimates, suggests four to five million, or around 7 to 8 percent of the population. But owing to differential birth rates, the percentage of those under age twenty is much higher: as much as 20 to 25 percent. The predictions of a France that is one-quarter Muslim by 2050 are not unreasonable.

By the late 1980s, this demographic shift was becoming impossible to overlook, and at the same time the radical potential of Islamism was exploding into French public view. This period brought the infamous *fatwa* against Salman Rushdie, when, to the horror of liberal Europeans, many of their Muslim fellow citizens hailed Ayatollah Khomeini and publicly burned copies of *The Satanic Verses* rather than defending its author's freedom of speech. Meanwhile, in Algeria—which before 1962 had formed an integral part of France—a radical Islamist movement took shape and tried to overthrow the secular government, horrifying French observers. Not coincidentally, it was in 1989 that the first headscarf controversy erupted, with three Muslim girls threatened with expulsion from their school in the Paris suburbs if they did not uncover their heads. Over the next fourteen years, it bubbled up at regular intervals, until finally President Chirac appointed the so-called "Stasi Commission" (after its chairman, Bernard Stasi) to study the issue. After it and another committee recommended the headscarf ban, parliament passed it in March 2004.

THE ONGOING CONTROVERSY has had more than a touch of the absurd to it. As left-wing critics of the ban have pointed out, it is curious indeed to expel girls from public schools in the name of "integrating" them more fully into French society. The wording of the ban also left comically unclear just what constitutes an "ostentatious" sign of religion. Does a small cross or star of David on a necklace count? What about a small crucifix? After the law passed, some Muslim girls substituted colorful bandannas for the traditional black scarves, while journalists asked mischievously if schools would ban elegant silk *carrés* from Hermès. School officials found to their consternation that the most blatant infringement of the law came not from Muslim girls but from turban-wearing Sikh boys, although no one had ever previously detected a threat to *laïcité* from France's small Sikh minority. In a ham-handed attempt to cover up this particular embarrassment, Education Ministry officials allegedly offered to pay full tuition for the Sikhs at Catholic private schools! In the oddest twist of all, two of the Muslim girls who became famous for defying the ban—after their expulsion they wrote a book about it and appeared frequently on television—had a Jewish father and were named Lévy.

This last absurdity reveals something important. Casual observers have usually assumed that the controversy pits "modern" secular Republicans against "traditional" pious Muslims wrenched out of their North African villages into metropolitan France. Yet as Bowen demonstrates, the girls who took part most actively in the controversy do not fit this mold. Most were French-born, and many came from relatively non-observant Muslim families. Far from succumbing to family pressure to cover their heads, they made their own independent decisions to do so, often as part of individual quests to find a more meaningful form of religion than they knew at home. Bowen cites the case of a girl in Grenoble named Schérazade, who read the Koran in her final year of high school—in French, since she did not speak Arabic—and only then decided to risk expulsion by donning the headscarf. Once expelled, she staged a twenty-two-day hunger strike in an RV parked in front of the school, and gave numerous interviews to the French and foreign press. Those are not exactly the actions of a "traditional" Muslim schoolgirl.

In other words, many of these girls are classic figures of what used to be called alienation. They are torn between cramped and unsatisfying lives at home and a larger French world that speaks loudly of "integration" but in practice also doles out large measures of racism, condescension, and neglect. For the time when French public schools and local authorities made serious efforts to assimilate immigrant populations is long past. The schoolteachers who once saw them-

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selves as the Republic's missionaries to supposedly benighted populations now usually treat their stints in majority-Muslim schools as sentences in purgatory to be served and forgotten. The police view large swaths of the poor Muslim suburbs as no-go areas. Opportunities for young Muslims remain restricted, and the Muslim presence in France's elite educational institutions and governing cadres languishes far below the Muslim proportion of the population. And yet defenders of the "Republican model" decry any moves toward affirmative action as a betrayal of egalitarian Republican ideals.

THERE IS AN EXTRAORDINARY irony in all of this. What these girls sometimes call a search for "true Islam" is in some obvious ways a deeply Western phenomenon, owing as much to Romantic notions of authenticity as to North African Muslim tradition. In this sense, the girls have already "integrated" to a greater extent than either they or their critics realize. While the Republic waves the banner of anti-clericalism in the manner of Voltaire, they respond by praising Mohammed in the accents of Rousseau. And this fact suggests that they are not rejecting secular French society entirely so much as trying to negotiate some sort of *modus vivendi* with it.

Unfortunately, French Republicans and much of the French media miss this point, and all too often seem to regard headscarves as just a step removed from suicide bombs. As early as October 1989, at the start of the controversy, the aggressively *laïc* weekly *Le Nouvel Observateur* published a cover story showing a woman wearing a black chador under the headline "Fanaticism: The Religious Menace." Many more sensational headlines about "*la France islamique*" have followed, especially after September 11 and the terrorist attacks in Madrid and London. The threat of violent Islamism certainly exists in France, but it is hard to see how the headscarf ban will do anything to reduce the danger.

In fact, even the proponents of the ban have generally recognized the absurdities of targeting teenage girls, and few of them thought that the 2004 law would have anything but a symbolic effect. Bowen suggests that they often believed their own inflated rhetoric, and hoped that the law would eliminate significant causes of Muslim disaffection, but this is doubtful. The members of the Stasi Commission, to judge from later interviews, at best saw the law as sending two messages to the Muslim French community: first, to respect the norms of *laïcité*, and second, to desist from pressuring young women into religious conformism. Criticized for singling out girls, they fell back on the justification that the law would protect those Muslim girls who themselves wanted to go bareheaded. They also argued that once the controversy had arisen, they had no choice but to follow it through to its logical conclusion.

BUT WHY DOES THIS CONCLUsion have to be a rigid piece of national legislation? Bowen remarks in passing that the French place inordinate faith in legislation as a remedy for social ills, and this is certainly true. Indeed, such faith is central to French Republicanism, which differs from the American variety not only in its emphasis on civil equality and secularism, but also (in keeping with its French Revolutionary origins) in the importance it attaches to the expression of the popular will in law. The many constitutions of France's five republics have tended to evince a distrust for American-style checks and balances as impediments to the popular will, while elevating the legislative branch above the others. Even in the quasi-monarchical Fifth Republic, the powers of the executive branch shrink dramatically if the president's party loses its parliamentary majority.

A more important reason, which Bowen also discusses, involves the complex and even deceptive nature of *laïcité* itself. Advocates of the concept tend to define it in terms of the separation of church and state, but in practice it has as much to do with control as with strict severance. The state may insist on keeping religion out of the public sector, but it also supports religion to an extent that Americans would find unimaginable, under the justification that religious belief in general contributes to the health of civil society. The state or municipal governments subsidize and maintain most churches and cathedrals. The state pays the salaries of teachers in religious schools, so long as they teach the national curriculum. It encourages the formation of voluntary organizations such as the Jewish Consistory and the Protestant Federation of France, which act as quasi-official representatives for particular religions. It also tolerates a glaring exception to the principles of *laïcité* in the eastern province of Alsace, which enjoys an exemption from the secularist legislation of the early twentieth century (it belonged to the German empire at the time). There, Catholicism, Protestantism, and Judaism all enjoy official status, with priests, ministers, and rabbis receiving salaries out of the public purse.

French authorities have long tried to pursue the same pattern of accommodation and control with Islam. They have helped to build mosques, and set aside sections of public cemeteries for Muslim burial. Dominique de Villepin, now the prime minister, even proposed in 2005 that the state pay for imams to receive instruction in secular history, law, and the French language. During the same years that the headscarf controversy was bubbling away, leading French politicians—especially Nicolas Sarkozy, the neo-Gaullist candidate in this year's presidential election—strove to establish

Inchworm

Inchworm finding a path
To heaven, climbing a cable
That from a leaf dangles,

Only you, fizz of a green star,
Wander from where to where
Without fear. Because the line

Was too low we could not
See it, because it was too fine
We did not feel it, so we fell,

Without knowing why. The tree
Of knowledge & the tree of life
Are intertwined, struggling

Together to ascend: they will
Strangle each other or bend,
And their ascent may end

In their undoing. Inchworm
Hugging a slender trail,
Scaling a sliver of time

From which we dangle,
Are you the true measure
Stretching across the divide?

PHILLIS LEVIN

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a Muslim representative body that could help to shape a moderate "French" Islam. These efforts finally resulted in the creation, in 2003, of the French Council for the Muslim Religion, which has yet to acquire full legitimacy in the eyes of most French Muslims. It often seems that what matters most to these officials is not an Islam separate from the Republic, but an Islam subordinate to it.

This context suggests an alternate explanation for what drove the headscarf controversy forward. The crucial factor may not be that Muslim schoolgirls were "bringing religion" into the schools, but that they were actively defying school officials. The secular state can accommodate certain "public" forms of religion, but it will not tolerate blatant religious opposition to state authority, however minor the gesture, however young the opponent. How else to understand Chirac's extraordinary statement, on December 5, 2003, that the headscarf is "a kind of aggression difficult for [the French] to accept," or the demand by a neo-Gaullist deputy that a veiled woman be expelled from the visitor's gallery in the National Assembly? (Chirac's comment also implies, insultingly, that headscarf-wearers are not really French). In his interviews, Bowen found that French people frequently used the word "aggression" to describe the wearing of headscarves. They perceive it as defiance.

THIS ALTERNATE EXPLANATION is not one that Bowen himself provides. An anthropologist who has previously written mostly about Indonesia, he tends to take French statements about headscarves at face value, as in his assumption that the proponents of the ban really thought of it as a cure-all. He relies heavily on interviews for his evidence, and the approach serves him very well when elucidating the attitudes of Muslims and of local officials. But it is much less effective in dealing with French academics and high-level politicians, who usually have sophisticated rhetorical skills of the sort that their American counterparts can only dream of, and who consciously formulate even apparently off-the-cuff comments with enormous care, in order to produce particular effects. These men and women can speak with great eloquence and enormous conviction about the abstract principle and historical antecedents of *laïcité*. But they are also deliberately casting as a question of principle something that is, in critical ways, a question of power.

Since he misses this element of the story, Bowen concludes his otherwise instructive and useful book on an exasperatingly irenic note, by suggesting that the French Republic could resolve the current controversy and ease the integration of Muslims if it adopted a looser, more inclusive form of Republicanism. Perhaps, he implies, the French should "broaden their notions of what is acceptably French." The Republic, he preaches, "is based not on a shared faith, but on a faith in the possibilities of sharing a life together, despite vast differences in appearance, history, and religious ideas." Well, yes, in one sense; but the Republic is not just a gentle ideal. It is also a power structure in which certain elite groups wield a tremendous degree of cultural, political, and economic authority. And this authority derives in part precisely from defining what is "acceptably French," and from prescribing cultural and political norms for the rest of the population.

Meanwhile, on the other side, Bowen does not pay sufficient attention to the fact that French Muslim hostility to the Republic often goes far beyond defending the right to wear headscarves. The same sort of alienation that drove some Muslim girls to search for a "true Islam" is also driving more dangerous and destructive forms of behavior, as became clear in the massive riots in the fall of 2005, and the continuing high levels of nihilistic violence in the miserable suburbs that surround major French cities. It is a particularly virulent form of alienation that elsewhere in Europe—notably the Hamburg of Mohammed Atta and the Leeds of the British bombers—has bred terrorism. In these circumstances, it is doubtful that a well-meaning embrace of multiculturalism by the Republican elites would do much to help. Extraordinarily generous multicultural policies were long pursued in the Netherlands, but the degree of mutual hostility and incomprehension there is today, if anything, even greater than in France, as demonstrated by the murder of Theo van Gogh and its aftermath.

So while it is easy enough, especially from an American perspective, to ridicule the proponents of the headscarf ban, it is much harder to say what they should be doing differently. Yes, it is absurd to expel girls from school over this marginal issue, and yes, the controversy has probably harmed the cause of Muslim integration far more than it has helped. Headscarf-wearing Muslim girls are not signs of a "Muslim plot," as some of the more hysterical French headlines have alleged. But they certainly are signs of a great social transformation whose outcome is unclear but whose dangerous potential is all too visible. And frighteningly, despite the desire of many reasonable people in France to find a peaceful and reasonable accommodation, no one seems to know how to stop the worst case from developing. No wonder so many people in France are nostalgic for the days when Republicans saw nuns as their enemies. ■

CORRESPONDENCE

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integrated Belgian-Muslim community, and he expresses utter disbelief that Muslim immigrants can be equal members of Belgian society. He would like to suspend all immigration to Flanders. But, even if that xenophobic positioning would not give Jews pause, perhaps his bedfellows might. Vlaams Belang and Filip Dewinter long have been eager champions of unabashedly anti-Semitic right-wing parties across Europe, from Poland to Romania to Bulgaria to Austria to France. In 2002, Dewinter even advanced the idea of Jörg Haider, an unapologetic Nazi sympathizer, running a pan-European far-right movement. This year, Vlaams Belang is forming a coalition in the European parliament with two anti-Semitic groups: the Greater Romanian Party and Bulgaria's Ataka. Does this mean they are anti-Semitic? Not necessarily. It means their philo-Semitism should be seen for what it is: politically expedient. As Cas Mudde, a University of Antwerp political scientist told me, "Dewinter is willing to work with very anti-Semitic politicians. ... What that most notably shows is that his [outreach to Jews] is secondary; it is all strategy for him. He is not truly philo-Semitic. He cares about the Flemish." Vlaams Belang is, first and foremost, a Flemish nationalist organization, and, "if an alliance with Jews is good for the Flemish, he will do it. And, if it is good for the Flemish to work with anti-Semites, then he will do that." ■

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CAMP TAJI DIARIST

Soft Power

I WAS FIVE MONTHS INTO A TWELVE-month deployment in Iraq, and I was having a bad hair day. Somewhat grudgingly, I had agreed to join one of my male colleagues at a USO-sponsored event featuring the Dallas Cowboys cheerleaders. Inside the recreation center at Camp Taji—a former Iraqi military base north of Baghdad where I am stationed—the cheerleaders, tan and skinny, bounced around the room in blue spandex. I admired them for visiting; they had, after all, risked their lives to bring us a moment of cheer. Still, I couldn't help feeling a sudden awareness of my mud-stained boots and crumpled uniform. Uncomfortable and unsexy, I felt like I had suddenly wandered out of Iraq and into the ladies' room at a New York strip club. I asked one girl with a mane of blonde hair to autograph a picture for my husband back home. She looked at me and smiled sympathetically, as if to say, *Underneath all that fleece and Gore-Tex, I'll bet there's a girl in there somewhere.* Which, really, just made me feel worse. "Isn't this great!" exclaimed my friend, blinding me with the flash from his digital camera. Yes, just great.

SOLDIERS IN IRAQ FACE PLENTY OF CHALlenges, but, if you're male, staying in touch with your inner man isn't one of them. Military culture is inherently masculine, and, just in case you ever forget, the Dallas Cowboys cheerleaders show up to remind you. Their visit to our base last December reminded me of something else: just how difficult it is to feel like a woman in a theater of war. Here, we are only authorized to wear two uniforms; the dry desert heat adds five years to your complexion; and you're lucky if your trailer has indoor plumbing. In other words, keeping in touch with your feminine side in Iraq takes effort. But, as I've learned, it can also help keep you sane.

FOR STARTERS, THAT MEANS PAYING attention to your skin. Army life is not new to me—my father was a Reservist for 20 years, I was in ROTC in college, and now, in my late thirties, I am a military doctor—but nothing quite prepared me for the 130-degree air when I stepped off a plane in Kuwait last August. The wind provided all the relief of an 1,875-watt hair dryer blowing straight in my face. I knew I would have to mount an offensive against the elements, and, through online orders and care packages from relatives, I soon accumulated an arsenal of high-end cosmetics. I now swear by La Mer SPF 18 fluid tint protection, Bobbi Brown lip shine with SPF 15, and thick Ahava hand cream.

WHEN IT COMES TO CLOTHES, I AM lucky enough to have my roommate as a mentor. We live together in a white metal trailer buried under a few inches of powdery brown dirt. A bright Johns Hopkins graduate and Manhattan native, she is on her second combat tour and is responsible for planning brigade operations. She is also a major fashionista who long ago managed to seal off her inner diva from our austere surroundings. We became fast friends, sharing the joys of online shopping as she slowly built a wardrobe in preparation for a two-week leave. She would return late at night carrying her spoils from the mailroom: for instance, a new pair of plum suede Christian Louboutin pumps—a small symbol of gender freedom, capitalism, and good taste—that had made the long journey from Bergdorf's to Baghdad. Never mind that a two-week vacation does not demand a season's worth of new clothes. At times, her side of the trailer was barely navigable due to the boxes of apparel.

MEANWHILE, OUTSIDE, WINTER HAD arrived and our borrowed corner of Iraq was turning into a thick sea of mud. Our working hours seemed to grow longer. There were reports of increased casualties. And among the few mental escapes available during those long days—working out, watching DVDs—online shopping was, for my roommate and me, the most cherished and enjoyable. I know it must seem absurd to hoard beautiful items in a war zone. But, in our monochromatic, highly regimented existence, face cream and fashion took on a special importance. Lying in a box with colored tissue, a pair of new pumps was as detached from our world and its troubles as a Hilton sister—and equally unapologetic for being so extravagant. It was 100 percent pure, frivolous femininity. Technically, the shoe department had delivered the pumps to Iraq; but the truth was that the pumps had delivered us from Iraq to the shoe department. And that, of course, was the entire point.

BUT FEMININITY IS ABOUT MORE THAN fashion. And the aspect of womanhood that matters most to me isn't something that can be packaged in tissue paper and sent overseas. My mailroom journeys are filled with anticipation of a card from my mother-in-law, who is lovingly documenting my 18-month-old daughter's growth with daily notes and pictures. My online purchases to date include pajamas and holiday dresses shipped directly to her—plus an engraved pink photo album that I intend to fill with the letters and photos her grandma has sent me in Iraq. My trailer is an art gallery of crayon scribbles.

BEING A MOM AT WAR IS AN INTERNAL emotional battlefield, and the daily mix of guilt and sadness just becomes a way of life. It isn't fun. (Or good for your skin.) Of course, I am hardly alone. Plenty of soldiers are parents, and some are new moms like me. You can barely find a desk here that isn't adorned with a photo cube showing a son posing proudly in a soccer uniform or a daughter grinning widely with a dog. I wish there were a way to make a year go faster or to make life at home stand still. We all do. But La La Land isn't issuing visas, and we've got a job to do. So we do it, and do it proudly.

IN THE MEANTIME, I FIND COMFORT IN little luxuries from a pampered American lifestyle, which bring brief blips of joy to otherwise joyless days—and remind me that it isn't a contradiction in terms to be both an officer and a lady. My male colleagues distract themselves with Cowboys cheerleaders; I distract myself with lavender foot cream as I smile at a pink and brown Kate Spade frame that contains a photo of my husband and gorgeous daughter. The distraction helps, but only temporarily. No cream can smooth out the scars on your heart from missing your baby.

BONNIE HARTSTEIN

Major Bonnie Hartstein is a physician currently deployed with the 15th Sustainment Brigade from Fort Hood, Texas.

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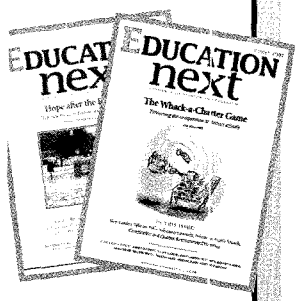

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In the new issue of *Education Next*

Debunking a Special Education Myth

Can spiraling special education costs explain why educational achievement has remained stagnant over the past three decades, while real education spending has more than doubled? Policy makers, education researchers, and school district officials often make the claim that private placements for special needs children drain resources away from regular education students. As it turns out, however, the evidence contradicts the private placement myth. Only a very small fraction, 0.18 percent, of disabled students are placed in private schools at public expense. And contrary to claims that this is increasingly common, the likelihood that disabled students will be placed in a private school has not grown in the last 15 years.

—Jay P. Greene and Marcus A. Winters

Catholic Schools Face Challenging Times

Despite a growing Catholic population (from 45 million in 1965 to almost 77 million today, making it the largest Christian denomination in the United States), Catholic school enrollment has plummeted from 5.2 million students in nearly 13,000 schools in 1960 to 2.5 million in 9,000 schools in 1990. Catholics make up about one-quarter of the American population, but their schools enroll less than 5 percent of all students. What happened to the Catholics? What happened to a school system that at one time educated one of every eight American children? And did it quite well.

—Peter Meyer

Paid for by the Hoover Institution, Stanford University.

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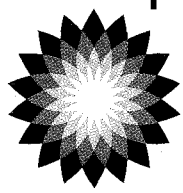

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